



## 2020 Market Rules

The Boyne City Farmers Market provides a community gathering place where local farmers and entrepreneurs sell directly to the consumer. Our goals are to improve opportunities by promoting economic development as well as social and community building through educational and family-friendly activities.

### MARKET LOCATION AND SCHEDULE

Outdoor Market — May 16<sup>th</sup> through October 17<sup>th</sup>, 2020 — 8AM-Noon  
*Wednesday & Saturday (Saturday only effective October 3<sup>rd</sup>).*

Indoor Market — October 24<sup>th</sup> through May 8<sup>th</sup>, 2021 – 9AM-Noon  
*Saturday only*

*The Indoor Market is a separate market with a separate application. Look for the Indoor Market Application in September.*

The Manager has discretion to shorten or lengthen the dates indoors depending on the weather. Summer Vendors may join outside on either side of these dates.

There may be two or three times during the season that the market will need to move to Peninsula Beach Park in downtown Boyne City due to a conflict with previously scheduled events in Veteran's Park.

- **Mandatory Vendor Meeting: April 14<sup>th</sup>, 2020 from 11am – Noon at BC City Hall.**
- **Veterans Park dates: July 11<sup>th</sup> and August 8<sup>th</sup>**
- **No Market Saturday, July 4<sup>th</sup>.**

### PRODUCER DEFINITION

Only producers will be allowed to be vendors at the market. A producer is a person offering for sale articles for human consumption such as fruit, vegetables, edible grains, nuts, berries, honey, maple sugars, syrups, and breads, and non-edible articles such as plants, cut flowers, and handicrafts.

All items sold by a vendor must have been raised, prepared, gathered, or produced within a (30) thirty-mile radius of Boyne City and within Charlevoix, Antrim, Emmet, Cheboygan, or Otsego counties. The vendor may not bring in products he/she has purchased from someone else for resale at the Boyne City Farmers Market.

**All applicants will be considered by merit of a Market Applicant Rubric, created by the Market Committee.**

**In order to ensure the integrity of the products sold,** The Market Manager will visit all farm vendors, on a rotating basis. The manager and vendor will arrange the visit in advance.



### **Synergistic Products**

The Boyne City Farmers Market Committee may allow, in its sole discretion, seasonal market vendors to sell synergistic products. Synergistic Products must be approved by the Market Manager ahead of time. Daily vendors are not allowed to sell synergistic products. Synergistic is defined as a product, which is not grown or produced by the vendor. The Market Manager determines eligibility of synergistic products.

**No synergistic products are grandfathered in to any vendor.** ALL synergistic products are to be disclosed on the application for review each year.

To qualify to sell a synergistic product at the market, a season vendor must:

- List the product(s) on their vendor application:
- Display a sign in a prominent location that is easily viewed by customers stating where the product was grown.
- **Signs provided by the Manager MUST be displayed.**

The Boyne City Farmers Market Committee may allow, in its sole discretion, producers outside of the (30) thirty-mile radius or other northern Michigan counties to participate in the market if the committee feels the producer's products will fill a void and/or niche in the market that has not otherwise been filled by any current vendors and if the producer's products are supportive of the goals of the Boyne City Farmers Market. In the case a producer from outside of this area that has not been previously approved by the committee shows up at the market, the Market Manager can use his/her discretion to allow the producer into the market for that (1) one day ONLY. In order for the producer to continue selling at the market, the producer must receive permission from the committee.

### **Eligible Items for Sale at the Market**

The farmers market will cater to high quality homemade and homegrown products. The following list of eligible items for sale may be expanded at the discretion of the Farmers Market Manager:

- fruits, vegetables, field crops, herbs, nuts, berries, sprouts, and grains
- plants, flowers (fresh or dried)
- honey, maple syrup
- baked and canned goods
- eggs & meat products, dairy
- handicrafts (*after approval of market committee jury, see guidelines below*)

Displaying overripe, spoiled or unusable products is not permitted. No garage sale, rummage sale, antiques, or "flea market" items are allowed. No live animals are to be sold.

All items for sale must be visibly labeled with prices and in accordance with state regulations. Vendors selling eggs, meat, or other perishable products must keep the products at an appropriate temperature in accordance with state regulations.

All vendors are required to comply fully with the Michigan Department of Agriculture and Health Department Food Handling & Sanitation Rules and Regulations along with all federal, state, and local law and will hold the market harmless regarding the same.



## Craft Guidelines

Specific criteria for all crafts sold during the Boyne City's Farmers' Market are as follows: Artisans/Crafters are defined as someone who possesses manual skills, tools & equipment to produce an item by personally handling of materials. Nothing is to be mass produced, copied or made from kits commonly found in hobby shops, craft stores or on-line. No imported goods will be allowed.

Crafters are chosen based on their unique designs and quality of materials. Crafts will be limited for an equal distribution of talent and to ensure a wide variety of items. Hand crafted items should be one of a kind (with exceptions for soaps and the like), made of quality ingredients/materials and show excellent crafting skills.

1. All items MUST be handcrafted by the vendor or a member of the vendor's farm or family.
2. Crafts MUST be the product of a home or cottage-type operation using an intermediate type technology instead of being a mass produced item. Some exceptions do apply and will be reviewed by jury. To be considered hand-crafted, the item MUST show evidence of manual skills obtained through experience and dedication. Examples of unacceptable items include, but not limited to: Pre-printed materials (paper, fabric panels), paint by number, tracings, pre-made kits, purchased pottery and ceramics molds/ patterns, embroidery or knitting machines, plans or pre-fabricated forms, wood carvings using duplicating machinery.
3. Crafter MUST disclose any ready-made objects that have been enhanced. Examples: Tie-dye shirts, towels, mass produced glass vases, glasses and the like that have been embellished, decorated or painted, store bought beads and other jewelry parts that are not hand produced. These items will be juried based on uniqueness and skills
4. All crafts shall be of excellent workmanship and design
5. No mechanical, optical, digital or electronic reproductions allowed.
6. Photography will be juried on the following criteria: Must be vendors' original photos, limited reproduction must be clearly visible on reproduced items, greeting cards, postcards and prints must be juried and noted on application
8. All crafts MUST be juried. Any crafts that are added by an existing vendor MUST be juried – no exceptions. Jury requires photos of crafts (if there is any question jury may request an actual, physical craft), Jury Description Forms and Vendors Application.
9. The Boyne City's Farmers' Market Jury will meet as necessary (every 2 weeks prior to market start). Subsequent meetings will be held on an as-need basis.

Crafts that may NOT be acceptable are:

Products or pieces assembled from kits

Plastic beads and plastic canvas

Plastic or synthetic flowers

Any dolls or doll components (hands, heads, feet) not created by crafter

Manufactured or imported baskets

Commercial lace

Hot glue as a primary method of attaching parts



**EVERY VENDOR MUST MAKE AN ANNUAL APPLICATION**

When accepting vendors to the market, the Market Manager will consider the following criteria:

- Distance the vendor’s farm is from Boyne City.
- The vendor’s record of attendance in previous years at the Boyne City Farmers Market. Vendors who sell at the market twice a week throughout the season are preferred over vendors who only come to the market on Saturdays in prime harvest season.
- The amount of local ingredients used in baked goods, jellies, relishes, etc. (for example: a pie with local fruit is preferred over one with canned fruit);
- Whether the vendor is primarily a farm or a retail outlet. For example, a farm-based vendor of baked goods is preferred over a non-farm vendor that operates a retail outlet.
- The number of vendors already selling the same fruit, vegetables, baked goods, etc. as the applicant.

**VENDOR SPACE RENTAL FEE & APPLICATION PROCESS**

All vendors are required to submit an annual application to the Market Manager in order to be considered for space rental. Applications can be sent to the Boyne City Farmers Market address on the form or given to the Market Manager prior to the start of selling at the market. Along with the application, all vendors must submit a copy(s) of all applicable licenses and permits pertaining to products that will be sold at the market. Applications will NOT be processed until all required documents have been submitted. An invoice will be sent to the vendors with their space assignments upon approval of their application.

Vendor spaces are rented on a per-foot basis with a 10-foot minimum. *Spaces can be shared by more than one vendor at the Market Manager’s discretion.* Vendors may rent 10, 15 or 20 feet. 30 foot spaces may be available at market manger discretion.

**The Fee is due before or on the first day of attendance.**

*2020 Seasonal fees are calculated at \$38.50 per ft.*

<b>10 foot space -</b>	<b>\$ 385</b>
<b>15 foot space -</b>	<b>\$ 577.50</b>
<b>20 foot space -</b>	<b>\$ 770</b>
<b>Daily Fee</b>	<b>\$ 50</b>

**Space Assignments for Seasonal and Daily Vendors**

**\* Priority will be given to those vendors selling edible products and/or plant products and who come to both Wednesday and Saturday Markets.**

**\* In general, produce and craft vendors will be grouped separately.**

\* Upon processing the vendor’s application, the Market Manager will assign all vendors their space. In order for a returning vendor to keep their space from the previous year or request a different space, vendors will need to return their applications to Boyne City Main Street (113 S. Lake St. Boyne City, MI. 49712) by 4:30 P.M., Friday, March 13, 2020. After March 13, the Market Manager will reassign the spaces. Turing in your application does not guarantee your request will be granted or that you will have the same space as the previous year. The Market Manager will



make all efforts to accommodate specific space requests within the limits of the market configuration and space available. Past market attendance, market history and product profile will all be considered when assigning market space. All requests will be considered. All may not be able to be fulfilled.

In order to claim their weekly reserved spot, a seasonal vendor must be present by 7:30 a.m. unless previously arranged with the Market Manager. After 7:30 a.m., the space may be used by another vendor. If a seasonal vendor does not attend the market three weeks in a row and fails to contact the Market Manager during that time, their space will be forfeited.

Only the Market Manager can assign spaces. A seasonal vendor cannot designate who gets their space if they are not present, nor can they sublet their space.

If a seasonal vendor wishes to move from their designated space to another space for a single day, the vendor must pay a \$5/day relocation fee. The Market Manager has the right to waive this fee on a collective basis if there is low demand for space at the market. There will most likely be a relocation fee mid-June through mid-September. Relocation must be approved by the Market Manager.

### **VENDOR INFORMATION**

- All vendors **MUST** supply mat, plywood, or other surface on the entire length of their space to protect the grass.
- Each vendor must provide his/her own equipment, supplies and materials, such as their own tables, chairs and boards from which to sell their products. All vendors must supply sacks or other containers for product sales. Vendors must supply their own sun and weather protection.
- Parking behind tables is limited to **one vehicle** or one vehicle with trailer. All vehicles and trailers must fit within allotted space. **NO parking over the sidewalk is permitted.**
- Each vendor will be responsible for his/her own area and for the clean-up at closing. All refuse must be taken with the vendor or disposed of. **DO NOT use the park waste receptacles or the market trash can, vendors are responsible for their own waste.**
- Vendors should provide a clean personal appearance to reflect positively on the Market. All trucks and other equipment used for transportation and display shall be kept clean at all times.
- No smoking will be allowed by vendors in the park, or within 30 feet of the park, during Farmers Market hours.
- **Vendors must always wear clothes. Being shirtless will not be tolerated.**
- Vendors are not allowed to bring dogs or other pets to the market.
- Children under the age of 16 cannot sell products without adult supervision.
- Products and signage are to be displayed within the boundaries of the vendor's space. No stakes are allowed.
- **The only signage in the fairway will be placed by the Market Manager.**



### **SERVICE ORGANIZATIONS**

A few spaces will be reserved for Boyne City not-for-profit service organizations. Permission to participate will be granted by the Market Manager. The service organizations must submit a written application to the Market Manager prior to being allowed at the market.

### **ENFORCEMENT OF RULES**

The Market Manager has full authority to enforce all rules. All problems and conflicts should be directed to the Market Manager.

The Market Manager has the right to deny a vendor the privilege of selling at the market. Reasons may include lack of license, misrepresentation of products, non-payment of fees, poor quality of products, leaving area littered, or disorderly conduct. The vendor can appeal the Market Manager decision by following the market grievance procedure. A copy is available from the market manager.

The vendor agrees to indemnify, defend and hold harmless the Boyne City Farmer's Market, Boyne City Main Street, City of Boyne City, and Market Manager from and against any and all claims, losses, liability, costs or expenses (including reasonable attorney fees) arising out of bodily injury of any person or persons, including death, or property damage, relating to the use of Boyne City's property for the purpose of selling items at the Boyne City Farmer's Market during its seasonal operational schedule.

Rules are subject to changes as seen fit by the Market Manager and Farmers Market committee, and approval by the Main Street Board.

For more information or for questions, please call the Boyne City Main Street office at (231) 582-9009.



**Grievance Form**

**Name of Vendor Submitting Grievance:** \_\_\_\_\_

Best Contact Phone Number: \_\_\_\_\_

Best Contact Email: \_\_\_\_\_

**Name of Vendor Grievance is Concerning:** \_\_\_\_\_

Please describe your concern:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please offer a solution:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Pay a \$25 deposit for the Market Manager to conduct a farm visit. If the grievance is unfounded, then the vendor submitting the grievance will lose the \$25. If it is found to be true, then the \$25 will be refunded and the vendor in violation will be fined \$50 and suspended from the market for two weeks for the first offense.

Signature of Vendor Submitting Grievance: \_\_\_\_\_

Date: \_\_\_\_\_

Signature of Market Manager: \_\_\_\_\_



## 2020 Vendor Application

**DUE BY March 13, 2020**

**VENDOR TYPE**, check best

Farm     Farm/Food     Farm/Craft     Food     Food/Craft     Craft

I plan to start attending:     May     June     July

I plan to attend:     Wed. & Sat.     Saturday Only

Years involved with Boyne City market \_\_\_\_\_

Business Name \_\_\_\_\_

Primary Contact \_\_\_\_\_

Family, friends, or employees who will be vending at the market \_\_\_\_\_

Phone #(s) \_\_\_\_\_

Email \_\_\_\_\_

Website \_\_\_\_\_

Check here if you would like to be linked from the farmers market website, if possible

Mailing Address \_\_\_\_\_

City/Zip Code \_\_\_\_\_

County \_\_\_\_\_

Physical address and driving directions to farm/ production site:

\_\_\_\_\_  
\_\_\_\_\_

Check here if you are:

- 1) NOT within a 30-mile radius of Boyne City or
- 2) NOT in Charlevoix, Emmet, Antrim, Otsego and Cheboygan counties.  
(Application requires annual approval by Farmers Market Committee.)





OPTIONAL — Farmers: Please indicate the type of produce you will sell at the market.

- Certified Organic       Certified Bio-Dynamic
- Naturally Grown/Raised (no synthetic fertilizers, pesticides, herbicides, hormones)
- Conventionally Grown (uses any of the previously listed aids)
- Other (please specify: \_\_\_\_\_)

List ALL products raised, prepared or produced by the vendor that will be sold at the market

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**FOOD VENDORS: What % of your products include local ingredients? Use your best estimate.**

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List ALL products classified as *synergistic*\* that will be sold at the market

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\*Refer to Market Rules. Requires approval by market manager and/or Farmers Market Committee.

\*No product will be grandfathered into the market.

**MARKET SPACE REQUEST:**

Size of space       10 feet       15 feet       20 feet       30 feet (Limited Availability  
– market manager discretion)

Returning seasonal vendors I request:

- the same space as last year ( \_\_\_\_\_ )
- different space than last year ( \_\_\_\_\_ )

Explanation of request, if necessary

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Briefly describe desired set-up (vehicle, tables, canopy, etc.)

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*Note: Past market attendance, market history and product profile will all be considered when assigning market space. All requests will be considered. All may not be able to be fulfilled. Vehicles and trailers must fit in your allotted space.*

**Vendor Contract:**

I attest that the above information given is true and in no way a misrepresentation of my market products. I agree to sell or offer for sale at the Boyne City Farmers Market only such items as listed in the application and that are of my production on the above described property. Further, I acknowledge full responsibility for all activities and conduct. I attest that I have read and agree to follow the Boyne City Farmers Market Rules, Guidelines for Crafts, and Code of Conduct.

Vendor Signature \_\_\_\_\_

Date \_\_\_\_\_

The following items must be received before your application can be processed:

- Completed Application
- Signed Waiver & Release
- Signed Code of Conduct
- Required licenses, permits and/ or certificates
- Craft Jury Description Form & Photos (for handicrafts only)

**Please mail or deliver the above items to:**

Boyne City Farmers Market  
113 S. Lake St.  
Boyne City, MI 49712

**Note: Do NOT send payment with your application.  
Vendors will be invoiced for the assigned space upon approval of their application.**



## **Code of Conduct**

### **The Boyne City Farmers Market Mission Statement**

*The Boyne City Farmers Market Committee seeks to enhance the quality of life in the Boyne area by:*

- Providing a quality market and entrepreneurial opportunities for a variety of locally grown and made farm products and commodities **sold** directly to the consumer.
- Encouraging direct communication between local farmers and consumers.
- Providing a community center within downtown Boyne City that fosters social gathering, interaction and entrepreneurship.

### **Boyne City Farmer's Market Code of Conduct**

The primary purpose of this Code of Conduct is to ensure the wellbeing of all participants. Vendors are expected to behave courteously to customers, other vendors, and market staff. It is the market's intent to serve the public and create a friendly atmosphere that will benefit both the vendors and customers.

### **As a Boyne City Farmers' Market vendor and/or their representative, I will:**

- Respect and adhere to all rules established by the Boyne City Farmers' Market.
- Not willingly deceive or exploit customers or the Market Manager concerning Market business.
- Demonstrate the highest standards of personal behavior and integrity at all times.
- Treat everyone with respect. Rude, violent, aggressive, uncooperative or belligerent behavior toward others will not be tolerated.
- Under no circumstance, attend or participate in the Boyne City Farmers' Market while under the influence of alcohol and/or controlled substance.

It is important that all Boyne City Farmers' Market vendors and/or their representatives comply with the Code of Conduct. Failure to comply with any component of the code or participation in other inappropriate conduct as determined by the Market Manager or market executive committee may lead to dismissal as a vendor at the Boyne City Farmers' Market.



I have read the Boyne City Farmers' Market Vendor Code of Conduct above and agree to comply with it.

Name \_\_\_\_\_

Business Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

Vendor and/or their representative

***(Without signed copy of Code of Conduct, vendor cannot participate in Boyne City Farmers Market)***



**2020 WAIVER & RELEASE**

\_\_\_\_\_, As indemnitor, I agree to indemnify, defend and hold harmless the Boyne City Farmers Market, Boyne City Main Street, City of Boyne City, Farmers Market Executive Committee, and Market Manager from and against any and all claims, losses, liability, costs or expenses (including reasonable attorney fees) arising out of bodily injury of any person or persons, including death, or property damage, relating to the use of Boyne City’s property for the purpose of selling items at the Boyne City Farmers Market during its seasonal operational schedule.

Additionally, indemnitor, including indemnitor’s agents or employees, admits receipt of a copy of the Boyne City Farmers Market Rules 2020, and agrees to abide by the terms thereof. By signing this document thus binds the indemnitor to these Guidelines.

Signature \_\_\_\_\_ Date \_\_\_\_\_  
Vendor/ Indemnitor

Signature \_\_\_\_\_ Date \_\_\_\_\_  
Market Manager



## **Market Grievance Procedure and Inspection Policy**

As members of the Boyne City Farmers Market, you have voluntarily joined together to create a market to sell local food and products and agreed to abide by certain rules. There may be a time, however, when a vendor feels the rules are not being followed. For those situations, the Boyne City Farmers Market Executive Committee has created a grievance process.

If a vendor believes that the behavior of a fellow vendor is detrimental to the common goal of maintaining a vibrant, welcoming marketplace that is hospitable to both vendors and shoppers, he / she may present a grievance.

### **Grievance Procedure**

- Approach and discuss your concerns with your fellow vendor, always maintaining a positive attitude.
- If you cannot approach and discuss your concerns with the vendor whose behavior you question, discuss your concerns with the Market Manager.
- If the Market Manager, you and the vendor whose behavior you question cannot work out a solution acceptable to all, the Market Manager can call for Mediation involving all parties. The mediation will be facilitated by a committee of three individuals appointed by the Farmers' Market Executive Committee.
- Minor complaints concerning rule infringement (not usually requiring a Grievance Form such as space violations, time violations and uncovered foods) may be resolved on the spot by the Market Manager. Major complaints concerning rule infringement (involving out-of-season produce, out-of-area produce or wholesale produce) must be submitted on the Grievance Form (available from the Market Manager).
- Fill out the Grievance Form and return it to the Market Manager.
- Pay a \$25 deposit for the Market Manager and/or Executive Committee Members to conduct a farm visit. If the challenge is unfounded, then the vendor who challenged will lose the \$25. If the challenge is found to be true, then the \$25 will be refunded and the vendor in violation will be fined \$50 and suspended from the market for two weeks for the first offense. If a vendor commits a second violation, they will be permanently removed from the market.

Complainants will be identified to the vendor receiving the complaint, and complainants will accompany the Market Manager and committee members if a farm visit is deemed necessary.

The production site must be available for inspection within five days following the receipt of the complaint. If the farmers market committee cannot be satisfied by vendor compliance, it may have the vendor removed permanently from the market. A complaint may be filed with the City of Boyne City to force the removal of any offending vendor by the police.