

NEW PALTZ FARMERS MARKET
RULES AND REGULATIONS

The New Paltz Farmers Market will operate at 25 Plattekill Ave, New Paltz, NY on Sundays from June 12, 2016 through November 20, 2016. The market will operate during the hours of 10:00 a.m. to 3:00 p.m.

I. ELIGIBILITY

- A. **The New Paltz Farmers Market is a Produce-Only Market.** All persons who actually produce the products for sale such as fruits, vegetables, plants, herbs, flowers, eggs, baked goods, jellies, jams, honey and/or other products are eligible to sell at the New Paltz Farmers Market.

In the 2016 growing year, there will be allowances made for re-sale (see details below) by approved vendors solely in order to assure a breadth and diversity of produce for the Market's twelfth operating season.

II. GENERAL RULES

- A. **Definition of Vendor and Farm/Production Facility:** All products sold must be grown or otherwise produced by the vendor. "Vendor" shall be defined as the producer of goods sold and shall include the family and employees of the applicant who assisting in cultivation and/or production at the same property listed in the application under the "name of farm/production facility".
- B. **2016 Allowances for Re-sale:** Items purchased for re-sale will be limited, allowed only when the Market Manager has allowed the re-sale and local members/vendors, either current or future, do not offer the products. All re-sale items must be produced by a local regional farmer/processor. Under no circumstances will the re-sale of goods from wholesalers be permitted. Proof of origin of re-sale goods is required, and must be posted at the market. A temporary allowance for re-sale may be granted for a product until a local member/vendor's own product is ready for sale. At this time, and with a week's notice, the temporary allowance may be revoked.
- C. **Site Visits of farms and production facilities.** All vendors shall allow the Market Manager and/or members of the Market Board to inspect their production facilities at any time, with or without notice, to ascertain that products sold are being grown or otherwise produced on-site so as to maintain the integrity of a producer-only or growers' market.
- D. **Organic.** Vendors who wish to claim that their produce is organic must provide proof of certification, and display such certification for the public to review. Each item permitted to be sold as re-sale (see re-sale allowances, above) which are claimed to be organic must provide individual proof of organic certification.
- E. **Health Regulations:** All vendors participating in the New Paltz Farmers Market must comply with the sanitary rules and regulations of local, state and federal health departments.

NYS Agriculture and Markets: **Phone:** (800) 554-4501 **Website:** <http://www.agriculture.ny.gov/>

F. **Fees.**

- a) **Weekly Rent and Space:** Stall fee will be \$20. A vendor may expand to a second space as needed and as space allows. (no additional fee.). The designation and allocation of vending spaces shall be the responsibility of the Market Manager. Fees will be collected by the Market Manager. **Members owe stall fees for unannounced absences.**
- b) **Guest Vendors:** Vendors may be invited to the market to participate as guest for special events or some other limited purpose. Guest Vendor participation must be approved the Market Board prior to participation. Guest Vendors will pay a daily stall fee of \$40.00 (10 x 10) at the discretion of the Market Manager (see Non-Profit booths, below)
- G. **Hold-Harmless Clause and Insurance:** Each vendor must carry his/her own liability insurance of \$1,000,000 and must have an insurance certificate on file with the market manager before he/she is allowed to come to the market. the insurance certificate must list the Village of New Paltz, 25 Plattekill Ave., New Paltz, NY 12561 and the Town of New Paltz, 1 Clearwater Rd, New Paltz, NY 12561 as certificate holders. The certificate must also list as Additional Insured James W. Armour, III, Polly Armour, and Four Winds Farm, 158 Marabac Rd. Gardiner, NY 12525.
- H. Each vendor must also obtain a Peddler's Permit from the Village of New Paltz. The following link will bring up the application: <http://www.newpaltzvillage.org/download/Peddlers-Permit-Packet.pdf> You will be applying for a year long permit option. When filling out the form, the date the license is desired for (E) is June 1 2016 through May 31, 2017. Length

of time (f) is one year. Location where you will sell from (I) is 23 Plattekill Ave. (N) Answer is yes - New Paltz Farmer's Market. R through V, answer is no.

- I. **Set-up Time:** The setting up of the Market may begin at 8:00 a.m. on Sunday mornings and no earlier. Vendors must be in their assigned space no later than 9:30 a.m. Vendors arriving after this time may be excluded from participating in the market for the day. Vendors are required to remain at the market for the duration of the market day.
- J. **Cleanup:** Vendors are responsible for setting up their displays and keeping their space(s) clean. All vendors shall cleanup their areas at the end of each Market day.
- K. **Pricing, Weights and Measures:**
 - a) Each vendor will operate as an individual entity and, as such, each vendor is responsible for setting his/her own prices; however, intentional undercutting and predatory pricing are not allowed.
 - b) Weights and measures are expected to be in accordance with all applicable local, state and federal rules and regulations.
 - i. Members selling by weight must have Bureau of Weights and Measures approved scales.
 - ii. Members selling by volume are required to use standard size containers such as pint, quart peck, bushel, etc.
- L. **Signage:** All vendors must display their farm or business name at their booth for the duration of the Market.
 - a) Vendors may also be required to display other licenses or permits by state or local regulatory agencies.
 - b) If a vendor sells out of the produce, the farm or business name sign must remain at the booth.
 - c) If organic is claimed for the farm or any individual re-sale items, organic certification in compliance with federal law is required.
 - d) Other claims of method of production and product quality must be verifiable.
 - e) Each item must be clearly marked with a price sign.
 - f) All signage is subject to approval of the Market Manager.
- M. **Sales Tax:** Each vendor will operate as an individual business entity and as such, each vendor is responsible for collecting his/her own sales taxes, where applicable. Whereas farmers selling their own produce directly to consumers are exempt from sales taxes, value-added producers (i.e. bakers, preserve-makers) may be required to pay sales or other taxes (check the local, state and other applicable regulations and see how they apply to you). For information, call 1-800-972-1233. For a certificate of registration form, call 1-800-462-8100.

III. NON-PROFIT ORGANIZATIONS

Non-profit organizations with missions related to farming, gardening, conservation, education, youth and/or nutrition are invited to participate in the Market. Organizations may not offer items or services for sale (other than memberships).

IV. VIOLATIONS

Responsibilities of the Market Manager

- A. **Complaints:** Resolve complaints against vendors regarding the origination of produce, goods or any other matter.
- B. **Vendor/Customer Conflicts:** Resolve any conflict, or potential conflict, which may arise between a vendor and a customer.
- C. **Sole Discretion:** Issue a warning to a vendor that has violated any provision of the rules and regulations.

Responsibilities of the Market Board

- A. **Resolve Conflicts:** In the event that the Market Manager is (1) unable to resolve or (2) directly involved in the complaints, conflicts or violations of rules and regulations, resolution is the responsibility of the Market Board.

V. OTHER BOARD RESPONSIBILITIES

- A. **Accept and Cancel Vendor Applications:** The Market Board will review vendor applications and accept or deny admission to the New Paltz Farmers Market. The Market Board reserves the right to cancel the approval of any vendor's application at any time if and when the Market Board finds the said vendor in violation of any of the guidelines and eligibility requirements.
- B. **Oversee and Assist the Market Manager**
- C. **Modifications.** The market board reserves the right to revise the New Paltz Farmers Market Rules and Regulations at any time so deemed appropriate.
- D. **Misc.** Any other responsibilities required by the organization of the board.