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## **WEST READING FARMERS' MARKET POLICIES AND REGULATIONS**

### **PURPOSE**

The West Reading Farmers' Market (WRFM) will offer consumers fresh, locally grown fruits, vegetables and other products raised or made by the market stand vendors themselves who are the producers of those products on local and nearby farms. The mission of the WRFM is to educate the public on the benefits of supporting local agriculture and the continuing preservation of farmland in the surrounding community thereby strengthening the diversity of the community in general.

### **ORGANIZATION**

The WRFM is an unincorporated association. Vendors must be full or part-time producers of the products offered for sale at the market. Products offered for sale must be accepted products that are included in the general categories approved by the association members.

### **PRODUCT CATEGORIES**

Vegetables - Fruits - Baked Goods - Cut Flowers - Live Plants - Meat and other Animal Products - Dairy - Crafts and other approved products

### **PRODUCT PROHIBITIONS**

The resale of products purchased by the vendor shall not be permitted and could result in the expulsion of the vendor from the market.

### **MARKET MANAGER**

A Market Manager (MM) will oversee and supervise the ongoing activities of the WRFM. The MM can be a volunteer, an individual vendor or otherwise chosen by vote of association members, a professional staff person with the West Reading Main Street Foundation or the Borough of West Reading, an intern who has been designated to be responsible for the activities of the WRFM or other person so designated by the vote of greater than 50% of the votes cast by those with voting entitlement.

The MM will be responsible for, but not limited to, enforcing market regulations, maintaining applications and records, keeping minutes of meetings, collecting fees, paying bills, keeping financial records and other administrative and enforcement activities.

## **VOTING**

Each registered member of the WRFM association occupying a space in the market shall be entitled to one vote. The MM shall have one vote. The West Reading Main Street Foundation shall have one vote and the West Reading Borough Council shall have one vote. Issues brought up for a vote shall be decided on the basis of greater than 50% of the votes cast. Each member and/or entity must be given the same notice and opportunity to vote on issues as they arise. Types of issues that might require a vote include, but are not limited to, adding or rejecting vendors, changing hours, days or location, setting fees, making major purchases or agreements for the WRFM and distributing excess funds at the termination of the WRFM.

## **APPLICATION TO PARTICIPATE**

Any vendor wishing to sell products at the WRFM will file an application with the Market Manager verifying that they are the actual grower or producer of the specific items that they intend to sell. Vendors must apply to sell within one of the 8+ categories based on their primary commodities. However, they may sell at their stand any approved product that they grow or produce.

Returning vendors at the beginning of a new season will receive the same market location as the previous season. A returning vendor may however request a change in location and may request to expand their selection of products for sale that they grow or produce. The MM will strive for a balance of vendor categories and market mix and therefore may determine that a change in location or expansion of products would not be in the best interest of the market. The returning vendor may under these circumstances abide by the MM decision or request a vote of the association. Approval will be on the basis of greater than 50% of the votes cast on their request if a vote is taken.

New vendors applying to participate in the WRFM will be selected on the basis of their agreement to abide by the policies and regulations of the WRFM and the needs of the market. Reasons for adding new vendors may include, but are not limited to, a shortage of a particular product, adding diversity to the mix of products at the market or overall growth of consumer demand. These applications will be approved or applicants will be placed on a waiting list by the MM in the order they were received.

## **MEETINGS**

An annual business and planning meeting of the association will be scheduled for the 1<sup>st</sup> Tuesday of February. Other meetings will be held on an as-needed basis. Meeting minutes will be recorded, distributed and administered by the MM who will act as the Chair for the meetings.

## **MARKET FEES**

Fees for the WRFM will be determined by a vote of the association at the annual meeting. Fees must be paid in full by participating vendors prior to opening day of the WRFM for that particular season. No vendor will be permitted to participate without satisfying in full the fee obligation for that season. Fees are to be utilized for, but not limited to, rentals, advertising and promotion, insurance coverage, bank fees, MM compensation and other charges for products and services required or desired to operate the WRFM. For FY 2009 the season fee will be \$250.00 per vendor.

Some vendors may specialize in products that come to market at specific periods of the market season. These vendors may request to be allowed to operate farm stands only during specific times of the season. Under these circumstances, the MM may approve this arrangement. The vendor will pay a pro-rated fee per week. For FY 2009, this fee will be \$25 per market day.

## **GENERAL RULES**

**Permitted items for sale:** Items allowed for sale shall include all types of locally grown or produced items including fruits, vegetables, plants, herbs, cut flowers, baked goods, preserves, honey, cider, juice, meat, animal products, and crafts made from farm-raised products. The resale of items purchased by a vendor shall not be permitted and could result in the expulsion from the WRFM association.

Crafts made from farm-raised products could include wool products, dried flowers, and beeswax candles. Vendors must be the producers of said crafts.

Cider/Juices are only permitted if they are pressed/extracted by the vendor or using vendor-grown products.

Preserves including jams, jellies, sauces, canned goods, etc. must be made from vendor's produce or made by the vendor from locally grown produce.

The vendor may produce baked goods. If the baked goods contain fruits or vegetables, the vendor must grow or use locally grown produce in season locally. This rule does not apply to processed products but vendors are encouraged to use as much local product as possible.

### **REGULATORY COMPLIANCE**

Vendors are personally responsible to be in compliance with all applicable local, state and federal regulations. These include, but are not limited to:

- ◆ Pesticide licensing and safe use
- ◆ Certification of scales by the department of weights and measures
- ◆ Organic certification for products claimed to be organically grown
- ◆ State sales tax where applicable
- ◆ Health and labeling regulations that apply to preserves, honey, cider, baked goods, canned goods, eggs, dairy products, meats, etc.
- ◆ Compliance certification documentation may be requested.

### **OPERATION OF MARKET STANDS**

Vendors have the right to operate their stands as they choose after meeting the following minimum standards:

- ◆ Vendors must ensure the safety of their displays and canopy. Canopies must be weighted or tied down securely in windy conditions.
- ◆ Vendors are required to attend all market days during the season unless excused by the MM or unforeseen circumstances prevent attendance. Vendors shall contact the MM in advance of their absence to be excused.
- ◆ By more than 50% of the votes cast, individual vendors may have a different but regular attendance requirement.
- ◆ Vendors will strive to sell products of the highest quality and freshness in keeping with the mission of the WRFM.
- ◆ Vendors will display a sign identifying the name and location of their farm.
- ◆ All vendors are responsible for cleaning up their market site at the end of the market day. Vendors must remove trash generated by their stand operation by hauling it away at the end of market day.
- ◆ Prices for all items on display shall be clearly marked with individual price tags, signs, or large legible signboards.

### **LOCATION OF MARKET**

The WRFM will operate on the south side of the 500 Block of Penn Avenue in the Borough of West Reading. Stands will set up beginning with the space closest to the corner of 6<sup>th</sup> and Penn Avenues and proceed eastward toward 5<sup>th</sup> & Penn Avenue.

### **SEASON DATES & TIMES**

For FY 2009, the WRFM will open its initial date on Sunday, June 7, 2009 between 9:00AM and 1:00PM and continue every Sunday from 9:00AM-1:00PM thereafter through November 8, 2009. Thereafter, season dates and times will be determined by greater than 50% of the votes cast at the annual meeting.

### **VENDING SPACE AND POSITION ASSIGNMENT**

Vending spaces will be chosen by the MM and approved by the WRMSF in the initial year. In subsequent years, returning vendors will be given the option of returning to their original spaces or to occupy any available space in

keeping with a good product mix. All other spaces will be chosen by the MM first, via a waiting list process second or by mutual agreement lastly. Vendors with seniority will be preferred when circumstances dictate a decision by the MM.

### **SHARING VENDING SPACE**

No more than two vendors may share a WRFM space. Vendors must apply for this approval prior to the start of each season or be approved by the MM on an individual basis at the sole discretion of the MM.

### **EDUCATIONAL & COMMUNITY ACTIVITIES**

Space will be made available free of charge for market, educational or community activities as needed. Space for these purposes must be applied for with the MM at least 2 weeks in advance. The MM will determine if an activity meets these criteria at the sole discretion of the MM.

### **VIOLATIONS OF WRFM CERTIFICATION**

The association reserves the right to inspect vendor farms/facilities to verify the 'producer-only' status of market vendors.

### **COMPLAINT RESOLUTION**

Upon receipt of a written complaint filed with the MM or evidence of reselling:

- ♦ The MM will request the vendor immediately remove the offending items from display for sale. If the vendor complies, a written notice will be filed by the MM. If the vendor receives a second written notice, the MM and the WRMSF Board will review the vendor's record. An inspection of the vendor's farm/facilities could occur at the MM and WRMSF Board discretion. The vendor may be expelled from the WRFM permanently or to some varying degree with or without an inspection of the vendor's farm/facilities by the MM and the WRMSF Board at their sole discretion.
- ♦ If the vendor does not comply by removing the offending items from display for sale, the MM and a representative of the PSU Agricultural Extension office will inspect the vendor's farm/facilities. A review of the vendor's record will occur and the vendor may be expelled from the market permanently or to some varying degree at the sole discretion of the MM and the WRMSF Board.
- ♦ Appeals of decisions under these circumstances are allowed. The vendor may appear before the MM and the WRMSF Board to state his/her case and produce evidence after which a decision of the MM and WRMSF Board will be final.
- ♦ Written complaints received by the MM for other issues will be resolved between the MM, the vendor in question and others as the MM should decide. The MM or the vendor in question if a written request is received by the vendor in question may bring conflict resolution before the WRMSF Board. The WRMSF Board may elect not to honor requests at their sole discretion.

### **LIABILITY**

Each vendor must provide a minimum of \$500,000 in liability coverage and issue a certificate to the Borough of West Reading and the WRMSF naming those bodies as "also insured".

### **MARKET TERMINATION**

The WRFM association may consider market termination: (1) if the number of vendors falls below 4; or, (2) a vote representing more than 50% of the current association, recommends termination. Regardless of these circumstances, the WRMSF shall have the right to make a final recommendation on the market status to the Council of the Borough of West Reading whose decision by majority vote will be final.

**-END-**

## West Reading Farmers' Market 2011 Farmer/Vendor Application

Farm or Business Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

County where your farm/business is located: \_\_\_\_\_

Primary Contact Person: \_\_\_\_\_

Secondary Contact Person: \_\_\_\_\_

Daytime phone: \_\_\_\_\_ Evening phone: \_\_\_\_\_

Cell phone: \_\_\_\_\_ Email address: \_\_\_\_\_

Please indicate your primary product category: \_\_\_\_\_

What products do you intend to sell at the West Reading Farmers' Market?

Product	Yes	No	Description
Sweet corn			
Tomatoes			
Other vegetables			
Herbs			
Mushrooms			
Apples			
Cantaloupe			
Peaches			
Strawberries			
Watermelon			
Other fruit			
Cider			
Honey			
Bread			
Muffins			
Pies			
Other baked goods			
Cut flowers			
Live plants			
Chicken			
Turkey			
Pork			
Beef			
Eggs			
Dairy products			
Preserves			
Crafts			
Other - <i>please describe</i>			

For 2011, do you expect to be present at the market during the entire season from Sunday, May 29th through the Sunday, November 20th?

Yes \_\_\_\_\_ No \_\_\_\_\_

If no:

On what date (approximately) do you expect to begin selling your products at the market? \_\_\_\_\_

On what date (approximately) do you expect to end your sales at the market?  
\_\_\_\_\_

Do the products you sell require special permits/licenses to be sold at a farmers' market? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, do you have the necessary licenses/permits? Yes \_\_\_\_\_ No \_\_\_\_\_

Do you have liability insurance of at least \$500,000\* to cover your operations including your farm market participation? Yes \_\_\_\_\_ No \_\_\_\_\_

\*\$500,000 minimum liability coverage required of vendor. West Reading Main Street Foundation must be added to certificate of insurance as "additional insured".

Are your products certified organic? Yes \_\_\_\_\_ No \_\_\_\_\_

If no, do you follow any organic practices? \_\_\_\_\_  
\_\_\_\_\_

Please describe your farm or business (size of farm, acreage in production, mission, other products or services offered, etc.)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

Please return this form and full payment of \$250.00 for the entire market season **OR** \$25.00 per market day to:  
West Reading Farmers' Market  
Attention: Becca Keller, Market Manager  
500 Chestnut Street  
West Reading, PA 19611  
\_\_\_\_\_