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OVERVIEW

The North Pearl Farmers Market (the Market) is facilitated, coordinated, and managed by the North Pearl Farmers Market Board (the Board). The Board has adopted the following rules and regulations and may, at any time, amend, delete, or modify its policies, rules, and regulations. In order to promote the Market as a whole to the community, all participants in the Market will behave toward Market customers, staff, and volunteers in a professional manner which fosters a sense of Market community, camaraderie, and a spirit of cooperative involvement.

The Board disclaims any and all liability that may arise from the sale of goods by the vendors or by the conduct of the vendors and does not guarantee the marketability of vendors' goods or success of the vendors' efforts.

CONTACT INFORMATION

For all information regarding the Market and its operations, please contact the Market Coordinator at 253-298-8751 or email: npearlmarket@gmail.com. You may also visit our website at www.explorenorthpearl.com or on Facebook at www.facebook.com/NorthPearlFarmersMarket

LOCATIONS, HOURS, DATES

The Market is located in the City of Ruston on the parking lot of Mitchells Always Cook-N at 5037 N Pearl Street. The Market hours are 1 to 5PM, Sundays from June 4 thru August 27, 2017 (13 Sundays). Set-up starts at noon until 1PM. Tear-down will be from 5-6PM.

PRODUCT, POLICIES & GUIDELINES

All vendors must be Washington state farms and businesses. All products must be grown or produced in Washington State. No re-selling or franchise sales are allowed.

a) Farmer- The Market strives to provide a marketplace where fresh, local and wholesome products are sold. Farm products which can be sold at the market include vegetables, fruits, berries, herbs, nuts, flowers, plants, honey, seafood, meat, poultry, eggs, and dairy products. Vendors wishing to offer samples MUST contact the Market Coordinator and submit an application to the Tacoma-Pierce County Health Department (TPCHD). All products must be grown, raised, produced or gathered by the vendor in Washington State or in counties bordering Washington State, with the exception of seafood which must originate from the greater Pacific Northwest (Washington, Oregon, Alaska or British Columbia)

b) Processor- The Market accepts certain value-added items which are grown and/or made by the vendor such as (but not limited to): Baked goods, preserves, honey, sauces, dips, cheese, sausage, and smoked meats or fish. All processed foods must be appropriately labeled with product name, ingredients, net weight, price, and vendor's name. Prior to selling at the Market, all vendors must show appropriate TPCHD certification to the Market Coordinator. These permits must be displayed in public view during Market hours and comply with TPCHD regulations. Vendors wishing to sell processed food products must:

- 1) List all ingredients in the products to be sold at the market. It is expected that the vendor will use raw ingredients that are grown locally as appropriate for the product.



2) Provide Market management a sample of all products packaged and labeled as they will be sold at the Market. Market Management reserves the right to evaluate the products before approval for sale in the market.

c) Artisan/Crafter- All craft products must be handcrafted wholly in Washington State or the counties bordering Washington State by the vendor and approved by the Market Coordinator and the Market Vendor Committee. (i.e. – plaques manufactured in China but painted in Washington State are NOT considered locally made). Returning craft vendors must have all new items approved before they are sold at the Market.

d) Prepared Foods - Vendors must be pre-approved by the Market Coordinator and the Market Vendor Committee. Prepared food vendors are required to offer at least one locally sourced item on their menu and advertise it prominently at their booth (local ingredients used must be mentioned specifically in the menu item advertisement). Prior to selling at the Market, all prepared food vendors must show appropriate TPCHD certification to the Market Coordinator. These permits must be displayed in public view during Market hours. All prepared food processor trailers must comply with TPCHD regulations. Food vendors must commit to a specific menu and any changes to that menu must be pre-approved by the Health Department and Market staff by a minimum of two weeks prior to serving that item.

1) Hot prepared food is restricted in 2017 as the Market has a non-compete agreement with Mitchell's Always Cook'n the location property tenant. For a sample of their menu go to:
<http://alwayscookn.com/>

2) The hot food exclusion does not include bakery items.

e) Overlapping Products - Vendors whose products or practices place them in more than one category are subject to all the requirements of each category.

f) Community- Vendors in this category, include Ruston/Tacoma-based organizations such as youth groups (scouts, etc.) and non-profit organizations such as gardening clubs, etc., are to contact the Market Coordinator directly at 253-298-8751 or by email at npearlmarket@gmail.com.

VENDOR SELECTION/RATIO

Vendors are selected annually by the Market Coordinator and the Market Vendor Committee. Selection will be based on quality, originality, locality, and compatibility with existing market mix and mission statement, as well as vendor performance and seniority. No vendor will have guaranteed return rights to the Market from season to season. The Market generally does not offer exclusive rights to vendors to sell any one product. Market customers generally benefit from having a choice. However, if the Market believes the number of vendors offering the same or similar products is excessive, duplicate products may be denied entry. All selected vendors must complete and sign a vendor application and contract each season prior to selling at the Market. Appropriate application, Health Department, and pre-paid stall fees must be paid. Agricultural products will be given priority over other product categories. Farm vendors will also be given priority in space and location assignment. Vendors selling nonagricultural products may be placed on a waitlist to maintain agricultural balance in the Market mix. The Market reserves the right to interpret vendor balance as we deem appropriate for the overall good of the market and its participants. Vendors who wish to dispute any market dealings are advised to complete a vendor complaint form, which will be reviewed by the Board.



MARKET DAY RESPONSIBILITIES

The Markets are community events where many diverse people are gathered to shop and sell. Vendors and their representatives are expected to conduct themselves in a respectful, safe, courteous, and harmonious manner with customers, market volunteers, and each other.

a) Absence & Cancellations - Vendors with paid reservations are responsible for occupying that space on each market day. Vendors not able to attend a reserved market day are required to notify the Market Coordinator at 253-298-8751, or email npearlmarket@gmail.com, as soon as possible. If notification does not occur by Thursday the vendor will be charged a stall fee. Repeated non-appearance (more than 3 times) may result in the loss of market participation. Space fees are non-refundable unless approved by the Market Coordinator.

b) Arrival - Vendors are required to register their attendance from 30 minutes up to 1 hour prior to market opening. If the vendor is not present at the Market 30 minutes before the start of the Market, the stall may not be available for the assigned vendor. Repeat violations may result in first come first serve basis for available space. Due to traffic safety, vendor vehicles arriving less than 30 minutes prior to opening may not be allowed to drive onto the lot.

c) Unloading - Between 30 minutes and 1 hours prior to the Market opening, vendors may enter the Market area with their vehicles for the purpose of unloading only. Due to the afternoon status of the market, and the fact that the property tenant will be open for business, the lot will not be available for set-up earlier than 1 hour prior to Market start. Vendors are required to unload, move vehicle offsite, and then set up the stall. Do not set up your booth before moving your vehicle out of the way first. Others need access to the loading space. Please be patient and offer assistance when possible so that everyone can complete this task efficiently. No vehicles will be allowed to enter the market 30 minutes before the Market opens. If a vendor arrives less than 30 minutes before the Market opens, they should park offsite, find the Market Coordinator to be directed to a space, and carry all goods in by hand. The space assigned to vendors arriving late may or may not be the originally assigned space.

d) Parking – Parking on the streets immediately surrounding the Market are for customers. Vendors are recommended to park two blocks away from the Market location. See map at the end of document.

e) Stall Set Up - Each vendor will be assigned one 10'x10' stall space or 10'x20' stall space depending on your indicated preference, payment of the double stall fee as well as the discernment of the Market Coordinator and space availability. Stall assignments are not transferable, and may change from week to week. Vendors will provide their own tables, signs, canopies and other desired materials. All vendors who wish to set up canopies (including umbrellas) on the Farmers' Market site during a normal period of Market operations, including the setup and break down period, are required to have their canopies sufficiently and safely anchored (25 lbs. per leg) at all time. For safety, any tent or canopy which is not properly anchored will not be allowed and must be removed by the vendor. Any damage incurred by a vendor due to wind/weather will be at the expense of that vendor. **NO STAKES ARE ALLOWED TO HELP SECURE THE CANOPY.** The Market and the Board are not responsible for loss or damage of property.



f) Transfer of Space - Vendors may not sublet stall space to others. Prepaid fees are non-transferable to other market dates or vendors. If a vendor sells his or her business, he/she may not transfer his or her market spaces to the new owner.

g) Signage - Each vendor must display a tastefully crafted sign clearly showing their producer/business name or the name of the farm/business, the business's location. Vendors are responsible for providing their own bags for purchases.

h) WIC & Senior FMNP - We strongly encourage produce and honey vendors to accept WIC and Senior FMNP coupons. The Market Coordinator will stamp WIC and Senior FMNP coupons at the end of each market day.

i) Children's Program - The Market will be providing \$2 tokens to children ages (3-12) who complete a Market sponsored activity. Children can use this token to purchase fresh produce/plants/flowers from any Farmer. Accepting the tokens is a requirement of being a farmer at the Market. We ask that Farmers have at least one item priced at \$2 in order for children to use their token. The Market will reimburse the \$2 tokens at the end of each market. Non-Farmers (Processors, Prepared Food, or Artisan/Crafters) will not be able to accept the tokens and the Market will not reimburse non-farmers for accidentally accepting the tokens.

i) Selling/ Pricing - All vendors must be set up and ready to sell by start time. Vendors are responsible for pricing, safety and quality of their goods and cannot sell adulterated goods. Prices must be clearly marked on all items for sale. Pricing of goods sold at the Market is solely the responsibility of the individual vendor. The Market Coordinator does not have the authority to fix prices. However, the Market Coordinator does reserve the right to conduct market research and set a low-price limit, and vendors will not be allowed to sell below this price. Thus, vendors are discouraged from giving produce or items away for free or at below-cost pricing, as this undercuts potential sales for other vendors. This does not include sampling.

j) Stall Fees – The 10'x10' stall fee rate for Farmer/Processor/Prepared Food vendors is \$10/week plus 4.5% of sales after taxes (lowest in the Tacoma area). The 10'x10' stall rate fee for crafters is \$10/week plus 7% of sales after tax (lowest in the Tacoma area). Double stalls 10'x20' are double stall fee of \$20/week plus 4.5% of sales after taxes.* Stalls requiring electricity will be charged an additional \$5/week. 1st week stall fees are due with the application. Vendors who pay for individual days must pay the daily rate in cash or check to the Market coordinator at the close of each Market day. *Double stalls are accepted at the Market Coordinators discretion and space availability.

k) Electricity – All electrical equipment must be pre-approved by the Market Coordinator. Vendors requiring electrical power are responsible for providing their own outdoor extension cords and mats to cover any and all portions of the cord that lie in any area utilized by market customers. The Market cannot guarantee electricity to its vendors.



l) Daily Gross Sales Report - All vendors are asked to complete a gross sales report to the Market Coordinator. The Board uses this data to reflect factors that affect our Market's success (weather, holidays, special events), and show the economic impact of Farmers Markets to the community. This information also benefits future funding opportunities to promote your local products at our Market.

m) Scale - Vendors selling produce by weight must provide their own scales, which must be "legal for trade" and are subject to inspection by the Dept. of Agriculture's Weights and Measures Program. All scales must be readable and in easy sight of your customers during business transactions.

n) Labeling- All product labels such as "organic", "unsprayed, pesticide-free, or low-spray" must comply with the Washington State law. State law restricts the use of the phrase "Certified Organic" to those who have, in fact, been certified by the Department of Agriculture. Please advertise and respond to customers' questions truthfully. To ensure that buyers receive sufficient and accurate information, quantity and price of pre-measured products and prepared goods must be labeled with quantity, price, business name, address, and phone number.

o) Sanitation- All vendors must adhere to sanitary procedures as outlined by the Tacoma-Pierce County Health Department. All prepared food vendors, vendors selling farm products such as meat, dairy, and eggs, and others wishing to offer samples must be approved by the Health Department. Vendors are required to keep their individual selling space in a clean, safe and sanitary manner. Vendors are not permitted to dispose of produce waste, overripe or leftover produce or boxes in any on-site garbage cans or dumpsters. The Market trashcans and dumpsters are available for patron use. Vendors must monitor and supervise their children at all time during the Market hours. No animals are permitted in vendor stalls with the exception of service animals, as required by the Americans with Disabilities Act or pets that are being exhibited by an approved adoption agency of Pierce County.

p) Take Down - Vendors are required to stay until market closing. Vendors who sell-out early must keep their stall set up until closing time, and post a sign letting customers know they have sold out. Vendors will break down their display promptly at closing time. Vehicles will be allowed to enter the market site 15 minutes after market closing, However, vendors should not leave the market to retrieve their vehicles until they have completely taken down their stall, including packing up remaining product, collapsing canopies or tents, and cleaning up any debris.

q) Clean-Up - Vendors must clean their stalls and vacate the sites by one hour after closing. Each vendor is responsible for removing any trash or garbage that is generated in or around their stalls. This includes removing all debris, sweeping and, if necessary washing down the stall site. All vendors must bring containers suitable for waste removal, including oily waste. No "dumping out". Prepared food vendors must have an impermeable tarp or mat under the entire stall to protect the sidewalks and streets from grease and food waste, as well as overhead coverage as required by the Tacoma-Pierce County Health Department. Oil pans must be placed under vehicles. Vendors not adhering to these policies will receive a warning for the first offence, followed by cleaning fines and possible expulsion from the Market. Everyone appreciates your effort to keep the Market clean.



LICENSES, PERMITS, SPECIAL REQUIREMENTS

All vendors shall provide at the time of application copies of any permits and licenses applicable to the sale of their products. These will include but are not limited to the vendor's WA State Business License, WA State Dept. of Agriculture Food Processor's License, Certification of Organically Grown Produce, Grade A Dairy Permits, Dept. of Fisheries Wholesale License, Food Handlers' Permit, Tacoma Pierce County Health Department licensing requirements, or any other pertinent licenses, permits or documents. Please see below for details. *The Market Coordinator reserves the right to accept a vendor still in the process of applying for their applicable permits.

a) City of Ruston Business License – The City of Ruston business license fee is being WAIVED for ALL VENDORS PARTICIPATING IN THE 2017 FARMERS MARKET (subject to change).

b) Dept. of Revenue – Vendors must have a current Washington State business license and are responsible for collecting and paying sales tax, if applicable, as required by the Dept. of Revenue. Contact them at 253-593-2722 for more information. Unless a vendor is exempt by law, he or she must supply the Market with a State UBI number at the time of application. Food, crafter, processor and miscellaneous applications submitted without a UBI number will NOT be considered.

d) Liability - Vendors are responsible for any loss or damage incurred or caused by their participation at the Market. The Market is not responsible for any loss or damage incurred or caused by vendors.

e) City of Ruston Fire Department Code – Vendors shall not use any bottled gas, electrical device, or hazardous material without prior approval of the Market manager and City of Ruston Fire Department. All canopies must be constructed of fire resistant materials or treated with flame retardant. If canopy has been sprayed with retardant, you must show documentation, or canopy must have proof of fire resistance (e.g. Tag sewn to inside of canopy with stamp stating fire resistance must state **NFPA 701**). The Market will spray your tent with the approved fire resistance before the market for a \$10 fee. In this case, the Market will provide a proof of fire resistance. Proof of fire resistance must be made available to the City of Ruston Fire Marshall or his/her designee upon request. All booths are subject to inspection by the Ruston Fire Department.

f) WA State ID Number – Retail sales taxes and Business & occupations taxes are the responsibility of individual vendor. The City of Ruston sales tax rate is 9.4% (less than the City of Tacoma's). Vendors who are required to charge sales tax are required by law to have a Washington State Tax ID number and must supply this tax number when you apply at the Market. Vendor's applications will not be processed without this number.

g) Tacoma-Pierce County Health Department – Vendors are required to obtain permits directly from TPCHD. If you have already obtained your permits, please include a copy with your application. Please apply for your permit by May 4th, 2017, one month prior to the first market day. A copy of your TPCHD permit should be clearly posted at your booth each market day & a copy should be given to the Market Coordinator. Further instructions about how to receive your TPCHD permits can be found on their website at www.tpchd.org.



- Farmers must obtain a permit, if they plan on giving out samples, or sell cut leafy greens or cut tomatoes. Farmers who sell cut leafy greens (not including head lettuces sold whole and intact or herbs) or cut tomatoes MUST obtain a TPCHD permit and adhere to all TPCHD guidelines for the cold holding and transport of such items.
- Farmers who sample their produce to the public will be required to have a food handler's license (from any WA County). All samples must be prepared and distributed in accordance with TPCHD guidelines. Gloves must be worn when handling samples. Melons & sprouts are NOT allowed to be sampled. Vendors who sell eggs, meat, dairy or other temperature control items MUST obtain a TPCHD permit and have sufficient USDA/WSDA permits.
- Vendors selling wild harvested mushrooms MUST obtain a permit and comply with all documentation regulations as outlined by the TPCHD.
- Prepared Food Vendors and Processors should go directly the TPCHD website for updated fee structure and rules for 2017.
- IMPORTANT NOTE: All food vendors who are found operating without a TPCHD permit will be fined the regular vendor category fee plus an additional 100% of fee by TPCHD. If a food establishment requires a re-inspection, \$120 fee will be assessed by TPCHD. follow all requirements as specified by the TPCHD.

i) Indemnity – The Market and/or The Board and its representatives shall not be held liable for any debt, tax or assessments incurred by the vendor in the operation of his/her booth nor for any salary or expense due to any of his/her employees. The Market and/or The Board shall not be liable for the result of any accident or damage to any person or article employed by, or in possession of the vendor while at the Market in the City of Ruston, whether such accident, loss or damage occurs during the time of preparation, the period of occupancy, or at the time of removal there from. In consideration of the privileges granted by this contract, the vendor agrees to protect, indemnify and hold harmless the Market/Board from any and all claims for damages, demands, or suits arising from injuries or damages sustained, or alleged to be sustained, by employees of the vendor or by any member of the public where such injury or damage shall have resulted either directly or indirectly from the activities and business of the vendor in connection with this contract.

GRIEVANCE POLICY

The Board reserves the right to impose disciplinary action at the Market site. Vendors have the right to a hearing within two weeks of any disciplinary action. In the event of expulsion due to severely offensive conduct, the vendor may be asked to vacate the Market. Upon failure to vacate, the Market shall remove all property of vendor from the site at vendor's expense. The Market is relieved and discharged from any/all loss or damage caused by such removal. The Market shall not be responsible for storage of removed property. Vendors are encouraged to file a vendor concern about any grievance/disagreement/conflict. These will be reviewed by the Board and a timely response will be issued to the vendor. Incident Report Forms are available to vendors upon request and will be reviewed by the Board. Alternatively, vendors can send an e-mail directly to the Board: lilt.lugo@gmail.com

MARKET COORDINATOR

The Market Coordinator (or designee) coordinates all the activities of the weekly functioning of the Market and implements Market policies, including oversight of the Market set-up and clean-up, daily assignments, collection of stall fees, and ensuring vendor compliance with all North Pearl Farmers



Market policies. The Market Coordinator also acts as a conduit of information from the vendors and customers to the Board. The Market Coordinator and his/her designees have complete authority to interpret and implement Market policy. To contact the Market Coordinator directly, call 253-298-8751 or email npearlmarket@gmail.com.

PETITION, PROTEST, SOLICITATION

The Market does not allow solicitation by political, religious, or other special interest groups or individuals.

NON-DISCRIMINATION POLICY

The North Pearl Farmers Market does not discriminate against race, color, creed, sex, religion, sexual orientation, age, gender identification, familial status, disability, or nationality.

FAILURE TO COMPLY

Vendors are expected to comply with all rules and regulations. Failure to comply may result in removal from the Market or other consequences deemed appropriate by the Market Coordinator and designated on-site staff.

*Thank you for your interest in the North Pearl Farmers Market!
Defying the Odds since 2016*

