



The Cary Downtown Farmers Market Association Market Rules

Revised 3/4/18

Cary Downtown Farmers' Market Association Governance

1. The CDF Market Association (AKA Cary Downtown Farmers Market) will be governed by a Board of Directors who are elected by the vendors of the market (and are the members of the Association.)
2. The elected officers (by the Board of Directors) shall consist of a President, Vice-President, Secretary and Treasurer and Adviser.
3. The Association will hire a Market Manager who will serve as Executive Director of the Association and will report to the Board of Directors.
4. The Market Manager can designate someone to perform Manager duties as needed.
5. Members of the Market delegate the operation of the Market to the officers/Manager.
6. The officers/Manager reserve the right to interpret the Market Rules and modify them as needed for the Market's operation.

Market Operations

1. The Market will begin operating the first Saturday in April and operate through the Saturday before Thanksgiving in November.
2. The Market will operate from 8:00am – 12:30pm on Saturdays.
3. The parking lot will open at 6:30am for set up. Ancillary sales may take place between 7:30 and 8:00am. Vending starts at 8:00am.
4. The annual spring meeting will normally be held the first Saturday in March and the annual fall meeting on the second Saturday in November.
5. Vendors must email their products available to manager@caryfarmersmarket.com for the upcoming Saturday market no later than 7 pm the preceding Wednesday. This allows for

accurate advertising and planning. If no notification is sent, no advertising will be done for that vendor and space will not be reserved at market on Saturday.

Vendor Qualifications

1. Vendors must reside in and produce the items they sell within a 100-mile radius of market.
2. Vendors must be the original producer of all items being sold. NO RESELLING of any kind will be allowed. Reselling will result in immediate termination of membership and all privileges to sell at market.
3. Vendors must be members of the Cary Downtown Farmers Market Association (CDFMA). To become a member, vendor must pay the annual \$50 membership fee before inspection or first market attended. For beginning of the year applications that are approved, membership fees are due no later than March 1 or if acceptance of the application is later than March 1, then the Membership fee is due before the first Market attended.
4. No Applicant shall be considered a member until the Manager approves the application.
5. Vendors must submit a completed application along with a \$25 application fee each year of planned attendance. Completed applications must be received and approved prior to first market attended. Applications are subject to approval by Manager.
6. Full time vendors are expected to sell at least 24 Saturdays of the season. Failure to comply will result in the loss of membership status with no refund of membership fee.
7. Vendors may lease land for crop production, however the market member must perform all operations to maintain any established crop for at least one full season before selling the harvest at market.
8. Members may allow representatives to sell their products for them and will notify the Market Manager before market opening if a representative will be selling their products.
9. Vendors must abide by all CDFMA rules to remain Members.
10. All members are expected to participate in the Market in a spirit of cooperation.

Fees and Penalties

1. Fees are as follows and are payable to the Market Manager or designee:
 - a. Non-refundable application fee of \$25 for January, otherwise it is \$35.
 - b. Non-refundable annual association membership dues of \$50 upon approval of application for standard vendors and \$30 for each Cooperative Members.

- c. Weekly stall fee of \$10 for one space or \$20 for two spaces for regular vendors. Stall fees are to be paid with initial advance payment for first 10 market weeks to be submitted with annual association membership dues prior to first market attended. After the initial pre-paid 10 wks have been met, stall fees (\$10/wk) will be due each week during market attendance. Paying in advance is acceptable. Proposed Addition: Cooperative Members will pay a \$15 stall fee if selling together or \$10 if selling individually and alternating weeks. Stall fees will be \$15 per week for part time vendors.
2. Seasonal vendors stall fees (strawberries, peaches, apples, pumpkins, etc.) are \$10 for one space and \$20 for two spaces and require a 10 week advance payment (non-refundable). Additional weeks are to be paid on the day of market sales.
3. Annual Association Membership dues, Application fees, and advanced payments are nonrefundable and non-transferable.
4. Vendors arriving after market opening time will be fined an additional \$10 to occupy a space and their placement will be subject to availability and Manager discretion.
5. Notice must be given to the Manager if a vendor plans to miss a market no later than 7 pm the preceding Wednesday. Vendors that are absent without notification will be charged the weekly stall fee for the market day missed. The market allows for emergency situations on a case by case basis as approved in writing by the Manager.
6. Guest Vendors are permitted at the market by filling out an application, approved by the Market Manager, and will pay \$25 a week, they do not pay the membership fee and are not members of the Market, but can attend meetings. Guest Vendors are accepted at the manager's discretion and in a manner, so as to not compete with regular vendors.

Inspection and Certification

1. Approved applicants are subject to an inspection of his/her farm or place of business before the sale of any product unless inspection is waived by the Manager.
2. For farm inspection, each Applicant shall notify the Manager approximately three weeks before his/her first intended sale date. (Seasonal crops may require seasonal inspections).
3. The Manager or designee agrees to inspect a farm within two (2) weeks of receiving request of inspection. The Manager reserves the right to waive inspection of returning members.
4. All prepared food items, meat, fish and cheese sold must meet state and local health regulations including the inspection of the prepared foods Vendor's kitchens by NCDA health inspectors and labeling in compliance with the regulations. Vendors must have a copy of their inspection form on file with the market Manager, as well as with them when selling at market.

5. All items sold as “organic” must meet the requirements of the National Organic Program. Vendors of organic items must have a copy of their certification on file with the Market Manager as well as with them when selling at market. Only organic growers may display a sign using the word “organic.”
6. All documentation and certifications must be submitted with application to Manager.
7. All approved applications will provide copies of sales tax certification or exemption at the spring meeting or first market selling day to be kept on file with market manager.

Items for sale

1. Items which are not available for sale to the general public shall be placed such that they are NOT visible to the general public, to avoid confusion.
2. Products which can be sold include:
 - a. Any vegetable grown by the Member from seeds, sets, or seedlings.
 - b. Any fruits, nuts or berries grown by the Member from trees, bushes, or vines on the Member’s property.
 - c. Any plant grown by the Member from seed, seedlings, transplants or cuttings. Woody plants must be grown by the member for six months prior to sales day.
 - d. Bulbs propagated by the Member.
 - e. Honey produced by the Member’s bees.
 - f. Cut or dried flowers grown by the Member.
 - g. Firewood cut by the Member from the Member’s property.
 - h. Straw baled by the Member from the Member’s property.
 - i. Preserves, pickles, relishes, jams and jellies made by the Member. No low acid canned foods (such as green beans, corn, peas, carrots, etc.) may be sold. In addition, no canned tomato products may be sold.
 - j. Craft items which have been made from basic materials by the Member, such as pottery, wood-crafted objects, beaded jewelry, hand-knitted and crocheted items, soaps and candles.
 - k. Rain barrels and collection systems.
 - l. Eggs and meat raised by Member.

- m. Seafood may be sold at the market by a licensed seafood dealer. All seafood sold at the Market must have been caught by North Carolina-based fishermen.
3. All food and product sold must meet state and local health regulations, as well as the N.C. Department of Agriculture's general guidelines regarding products exhibited for sale at farmers markets and curb markets.
4. All produce must be top quality.
5. No animals may be physically sold or given away at the Market.

Craft Rules

1. Crafts will be permitted at market.
2. All crafts must be hand-crafted, original work by the vendor.
3. All crafts sold at market must be of excellent workmanship both in quality and design.
4. Craft vendors are encouraged to use raw materials from local sources.
5. Traditional farmstead crafts such as pottery, textile-making, soap-making, furniture-making, etc. are encouraged.
6. Craft applications will be accepted based on space availability, category of craft, materials used, general quality and workmanship and at the discretion of the Market Manager.

Space Allocation, Tents and Signage

1. One space is defined as the area under a market approved 10' x 10' canopy. There is a limit of two spaces per vendor.
2. Adjacent spaces occupied by representatives from the same farm shall be considered one farm. No individual may represent two farms simultaneously on a daily basis.
3. Market space will be assigned by Market Manager or designee based on notice of attendance and best arrangement for Market. Every attempt will be made to keep vendors in their usual spot or relative to other vendors.
4. Market space priority will be given to returning applicants.
5. Members have priority to spaces they occupied 14 days prior to the present sale day. Members lose this priority if they are absent from the market two consecutive weeks.
6. Vacant spaces at the Market shall be filled on a first come – first served basis per market selling day.

7. The Market does not provide tents or tables. Each member/vendor is responsible for their own tents, tables, chairs, etc. Canopies are subject to approval by the Market Manager.
8. Vendors shall occupy their space at least 15 minutes before opening time. Vehicles cannot enter the market area (the area designated by cones, tape, or otherwise delineated by the Manager) after 7:45 am or before 12:35 pm Saturdays.
9. Vendors must display the full name of their farm or business on/at their booth. Farm or business name should be legible from 3-4 feet away. Tables should be covered and full, creative displays of products are encouraged.
10. Prices must be posted for all items sold. Prices should be legible from 2-3 feet away. Each vendor is required to sell their goods at Market at fair and economically sustainable prices. Cutthroat or loss leader pricing is not acceptable in a farmers' market community and will not be tolerated.
11. Market members are responsible for cleaning up the area in and around their stalls after market. Failure to clean up may jeopardize the Market's use of the site and will not be tolerated. Failure to clean the space will result in a \$5 fine paid the following Market day.
12. Our market hours are from 8:00 am – 12:30 pm, members can consolidate tables and products to maintain nice presentation but shall retain 1 table, tent and member sign until 12:30 pm.
13. Members shall bring weights/stakes/tie downs to secure tents in the event of high winds.

Cooperative Vendor Applications

The CDFMA hopes to foster the development of new farmers, small urban producers, and/or producers who have a niche product by providing a market outlet. Questions that may arise regarding the application of the cooperative Vendor provisions will be considered in light of this purpose and resolved at the discretion of the market manager.

1. The market manager will maintain a list of producers who have expressed an interest in pursuing a cooperative vendor position, and will upon request furnish that list to the other current or prospective cooperative vendors in order to foster the full and effective utilization of the memberships, and to promote collaboration among cooperative vendors.
2. Each member of the cooperative must submit a vendor application and meet all requirements for agricultural vendor membership, including inspection.
3. Each Cooperative must submit a cooperative agreement in a form provided, listing each proposed member of the cooperative, stating which markets each cooperative member seeks to attend, and identifying a single individual, and one alternate, who is authorized to exercise the cooperative's vote at membership meetings during that season.

4. Multiple vendors within a cooperative may sell at the cooperative's stall in any given week, or the members of a cooperative may apportion stall usage among themselves. Each member of a cooperative selling at the cooperative's stall on market day will identify their products with the name of that member.

5. Cooperative vendor applications will be evaluated in light of the above stated purpose of cooperative vendor positions and in light of the factors set forth.

CSA Operators

The CDFMA is primarily a "tailgate" type market open to any and all customers. The CDFMA is not designed, planned or set up to be solely a drop off location for CSA farms, but the CDFMA recognizes the value of having CSA operators participate as CDFMA Members.

1. If a CSA operator wishes to be a Member of the CDFMA they must abide by all rules of the association.
2. CSA operators must sell their own produce. Resellers are prohibited.
3. CSA operators cannot solicit CSA business via signage at the CDFMA. For the avoidance of doubt, CSA operators must not convey the impression that customers are required to join a CSA in order to shop at the Market. Oral solicitations, i.e., verbal conversations with potential customers, are acceptable, as is distribution of standard printer paper or pamphlet-style CSA literature.
4. All products that CSA subscribers are to pick up from the CSA operator at CDFM must be prepackaged in a closed container, ready for transportation, such that they are not visible to non-CSA market customers.
5. CSA farmers must have additional product to set up a display of products that are for sale to any customer of the market.

General Vendor Conduct

1. Both members and Market attendees are prohibited from smoking the Market area.
2. Vendors must not bring pets into the Market for health and safety reasons. However, the Market Manager will use best judgement on a case by case basis such the display of some farm animals for show and to draw customers to the market.
3. Vendors shall conduct themselves in a manner that is courteous to other vendors, market personnel, and the public. Behavior that is threatening, abusive, or harassing shall result in immediate termination of market membership.

Food Trucks

1. Food trucks will be allowed at market during market hours only, in accordance with the provisions of this rule.
2. Food trucks will be scheduled at the discretion of the market manager; those using ingredients from market vendors will be given selection priority.
3. Before being permitted to sell at market, each food truck will provide the market manager a copy of product liability insurance policy listing the CDFMA as an additional insured and will provide the market manager with copies of all relevant licenses or permits. Vending permission granted by the market manager will not constitute a property right.
4. Food trucks will not be members of the market but may attend market meetings.
5. Food truck/Food vendor shall pay a daily stall fee of \$25 per food truck per market day.
6. Food trucks must sufficiently buffer any noise created by generators or other power supplies so as not to disrupt conversation between market vendors and customers.