

Hopkinsville-Christian County Downtown Farmers Market

2011 Guidelines

The purpose of the Hopkinsville-Christian County Downtown Farmers Market Guidelines is to establish membership and operational rules for the market, hours of operation for the market, and to promote the highest quality standard as it relates to products sold at the market, with an emphasis on quality standards pertaining to the reselling of items.

The Hopkinsville-Christian County Downtown Farmers Market is overseen by a Board of Governors and the daily operations are the responsibility of the Market Managers. The Board of Governors for the 2011 calendar year are Roxane Thomas, Kelly Jackson, and Holly Boggess. The Market Managers for 2011 calendar year are Rossneau Ealom and Patrick Holland.

MEMBERSHIP AND FEES

1. Membership is signified by signing the agreement to follow the market guidelines. No vendor will be allowed to participate in the Hopkinsville-Christian County Downtown Farmers Market until the agreement has been executed.
2. No fees or dues will be assessed during the 2011 calendar year of the Farmers Market. Future dues, if any, will be decided at a later date.
3. Membership for the Hopkinsville-Christian County Downtown Farmers Market is open to any growers and resellers in the Commonwealth of Kentucky, or within fifty (50) miles of the Kentucky state border as defined by the Kentucky Department of Agriculture.
4. Members are responsible for their own taxes (including, but not limited to sales tax) and insurance (including, but not limited to product liability insurance), as applicable. Please refer to the 2010-2011 Kentucky Farmers Market Manual for guidance relating to required insurance documents (previously provided to you). This document may also be downloaded at the following address: <http://www.kyagr.com/marketing/farmmarket>
5. Members must post their name and the location of their farm or business at their vending site.
6. Membership will be made available on a first come/first serve basis, as space allows. Priority for membership will be given to vendors who have previously participated as a vendor of the Hopkinsville-Christian County Downtown Farmers Market in the past, if space becomes an issue. Space allocation will be determined as addressed below.

INSURANCE

The City of Hopkinsville maintains liability insurance for the Founders Square parking lot and the Hopkinsville-Christian County Farmers Market Pavilion. All vendors are responsible for their own required insurance. All vendors will comply with KRS Regulations.

SPACE ALLOCATION

1. There are sixteen (16) vending spaces available under the pavilion.
2. Each vending space measures 10ft. x 12ft.
3. Each member will have an assigned vending space. Vending space will be determined by allowing vendors who participated in the previous season to have the option of returning to the space they occupied at the close of the season or by selecting another available space. Vendors will be allowed to “trade” space assignments with other vendors if they so choose. Any new vendors will be allowed to select from the remaining spaces once previously participating vendors have selected their space. All vendors will have the opportunity to trade spaces with other vendors during the season, if agreed upon by both parties.
4. Each member will be required to have their vending space set up so as to be facing toward the interior of the pavilion as opposed to the exterior of the pavilion. The purpose of this requirement is to create a true “market” exhibition.
5. Each member will be allowed one parking space. The Market Managers may authorize additional parking spaces, if necessary. After the vendors are set up, they are strongly encouraged to utilize the parking spaces that lie along Little River Park for their vehicles and trailers so as to allow customers to utilize the spaces directly adjacent to the pavilion.
6. A diagram of the vending space layout and parking areas will be issued to each member upon execution of the membership agreement.

TIME AND LOCATION

1. The Hopkinsville-Christian County Downtown Farmers Market is located at the corner of 9th and Main Streets in Hopkinsville, Kentucky.
2. The 2011 market season will begin on April 16, 2011 and end on October 29, 2011. Scheduled market hours are as follows:
 - Every Wednesday during the market season from 7:00 a.m. to 1:00 p.m.
 - Every Saturday during the market season from 7:00 a.m. to 1:00 p.m.
 - During the Little River Days Festival (May 19, 2011 through May 22, 2011) the Hopkinsville-Christian County Downtown Farmers Market will be located in the grassy area directly in front of the Hopkinsville-Christian County Public Library and/or on the

northwest corner of the Public Library's property at the intersection of 9th & Bethel Streets . The Little River Days Festival hours are as follows: Thursday and Friday, 10:00 a.m. – 10:00 p.m.; Saturday, 8:00 a.m. – 10:00 p.m.; Sunday, 12:00 noon – closing (carnival rides only on Sunday). The Hopkinsville-Christian County Downtown Farmers Market vendors will be allowed to sell during any or all of the Little River Days Festival hours. A layout of vending spaces will be provided to the vendors prior to the Little River Days Festival. All efforts will be made to allow Vendors to park their vehicles and trailers in the parking lot of the Hopkinsville-Christian County Public Library during the Little River Days Festival. If those arrangements cannot be made, alternative parking arrangements will be discussed.

3. **Vendor set up should begin a minimum of thirty (30) minutes prior to the scheduled market opening time. It is strongly recommended that you begin set up by 6:30 a.m. and be ready to begin serving customers by 6:55 a.m., as the customers of the Downtown Farmers Market depend upon you. However, we recognize that there are often unforeseen and uncontrollable circumstances which may prevent you from being able to comply with this regulation. Therefore, we will allow a 15-minute buffer to offer flexibility in complying with this regulation. If you cannot be completely set up and ready to begin serving customers by 7:15 a.m., you will not be allowed to sell on that day. You will be asked to leave the pavilion and return on the next market day. This should provide more than ample time to allow for any unforeseen or uncontrollable circumstances. It would be of financial benefit to you, as a vendor, to make every effort to be completely set up and ready to begin serving customers by 7:00 a.m. as customers often arrive prior to the scheduled opening time.**
4. Vendors must vacate the market within thirty (30) minutes of the scheduled market closing time.
5. No early or late selling will be allowed. Anyone not complying with this rule will be subject to having their membership revoked.

MEETINGS

It is the intent of the Board of Governors to conduct two (2) meetings per year to discuss the operation of the Hopkinsville-Christian County Downtown Farmers Market. One (1) meeting will be held in the Spring to discuss and organize the upcoming season's opening date. One (1) meeting will be held in the Fall to evaluate the previous year's market and determine any changes that may need to be made. Special meetings may be called as needed. Meeting notices must be sent to the entire membership a minimum of three (3) days prior to the called meeting.

PRODUCTS

1. Allowed
 - a. Raw fruits and vegetables
 - b. Greenhouse-grown plants

- c. Nursery stock
- d. Seasonal items: corn stalks, hay, straw
- e. Herbs
- f. Fruit Baskets
- g. Cut or dried flowers
- h. Value-added products (as defined by HB391)
- i. Specialty pet treats (must meet the guidelines of the Division of Regulatory Services and labeled as pet treats)
- j. Baked goods
- k. Cider (pasteurized)
- l. Honey
- m. Maple syrup/sorghum
- n. Canned goods (as defined by HB391)
- o. Cheese (pasteurized)
- p. Eggs
- q. Fresh meats

The following regulations pertain to the reselling of canned goods: Vendors **may not** resell any home-based processed or home-based microprocessed canned goods. Vendors **may** resell canned goods that are considered processed products from an already permitted “commercial” source. Any vendor reselling canned goods will be required to obtain a retail sales permit from the Christian County Health Department. The definition of local (within the Commonwealth of Kentucky, or within 50 miles of Kentucky’s state border) will be applicable to any and all canned goods resold at the Downtown Farmers Market.

For information relating to value-added products and the regulation thereof, please refer to the 2010-2011 Kentucky Farmers Market Manual (previously provided) and/or contact the Christian County Health Department (270.887.4160).

2. Not-Allowed
 - a. Livestock and pets
 - b. Antiques
 - c. Carnival and flea market items
3. It is solely the vendor’s responsibility to make sure produced goods follow all state and local health and labeling codes.
4. **The source of products must be clearly labeled. Signage should identify the product as bought from the seller, other producers, USDA terminals, and/or produce auctions.**
5. Vendors selling non-food items must charge sales tax unless they have signs displayed stating “Sales Tax Included.” The market must be supplied with sales tax number form from vendor, if applicable.

6. **No dumping will be tolerated. Local vendors will establish prices of produce between themselves on either a daily, monthly or seasonal basis.**
7. **Prices should be displayed for all produce where customers can clearly read them.** It is not acceptable to display prices on cardboard. They should be displayed on Kentucky Proud boards, white paper, or attractive signage.
8. All vendors selling **produce must have a state certified scale marked “for legal trade.”** Some produce can be sold by volume, i.e. peck, ½ bushel, bushel. Please refer to the 2010-2011 Kentucky Farmers Market Manual (previously provided to you). Items such as tomatoes must be sold by the pound, and items such as cucumbers must be sold individually.

Using the scales allows the vendor to be more profitable while not undercutting other vendors. In an effort to attract additional vendors, the Downtown Farmers Market has purchased a legal for trade scale. It will be brought to the Market by the employee operating the EBT/Debit Card Terminal and the central location will be determined by that employee and/or the Market Managers. No single vendor will be allowed to keep the scale at their booth or space. Vendors who do not have a legal for trade scale will be allowed to use the Downtown Farmers Market scale, but will be required to pay a \$120 annual membership fee. The annual membership fee will be pro-rated at \$20 per month depending upon what time during the market season the vendor becomes a member of the Downtown Farmers Market. For example, a vendor joining the Market in April will be required to pay the full \$120 membership fee; a vendor joining the Market in August will be required to pay a \$60 membership fee. Existing vendors or new vendors who have their own legal for trade scale will not be required to pay a membership fee, so long as they continue to utilize their own scale. It will be the responsibility of the employee operating the EBT/Debit Card Terminal to remove the legal for trade scale from the Market at the close of business. No vendor will be allowed to keep the scale or take the scale home with them.

9. **Vendors are not allowed to sample without the sampling certification proving the vendor has participated in the GAP training.**

APPEARANCE AND CONDUCT

1. **The Farmers Market will provide market aprons and each vendor must wear a clean apron daily. Each vendor will be provided with 2 aprons. Aprons will be provided on an “every other year” basis.**
2. **Members must be clean and neat, suitably dressed with clean clothes, and deal with the public in a courteous and appropriate manner.**
3. All members will display their products neatly and attractively, with consideration for the other members and the general public. Raw products are not allowed to sit on the ground, but may be placed in baskets and displayed on the ground. This does not apply to melons,

pumpkins, gourds, contained flowers, etc. All vendors must have an attractive display approved by the Market Managers.

4. Members are responsible for their own stalls, will supply all necessary trash containers, tables, and tablecloths and will maintain and leave their site clean and in a condition acceptable to the Market Managers and property owner. This includes the removal of trash containers and other waste and trimmings before leaving the market. **If at any time during business hours and/or at the close of the Market, a vendor's booth is not of a cleanliness level acceptable to the other vendors and/or the Market Managers, that vendor will be subject to a twenty-five dollar (\$25) fee per day, per offense for the first 3 violations. Subsequent violations will result in a fifty dollar (\$50) fee per day, per offense. The fee will be collected by the Downtown Renaissance Director and deposited into the Local Development Corporation's account to assist with covering operational expenses associated with the Downtown Farmers Market.**
5. The Hopkinsville-Christian County Downtown Farmers Market prohibits members from bringing live animals to the market site unless required by law or with permission of the Market Managers.
6. Loudspeakers or bullhorns are not permitted.
7. Smoking is not permitted except in designated smoking areas, outside of the pavilion.
8. Alcoholic beverages may not be sold, consumed, or advertised unless a winery is selling their product in an unopened container. Consumption of alcoholic beverages on the property, including wine, is strictly prohibited.
9. Dumping any trash in the dumpsters in Founders Square is strictly prohibited. These dumpsters belong to business owners.
10. Each vendor will be assigned a space that measures approximately 10' x 12'. Please try to keep your items confined to your space even if there is not a vendor located beside you.

EBT/DEBIT CARD PROGRAM

The Hopkinsville-Christian County Downtown Farmers Market was the recipient of a grant from the Kentucky Farmers Market Association to be a pilot project for the utilization and implementation of an EBT/Debit Card Program during the 2009 market season. As part of the grant, the Hopkinsville-Christian County Downtown Farmers Market has been allowed to keep the EBT/Debit Card terminal and operate it during the 2011 calendar year. The Kentucky Farmers Market EBT/Debit Project Manual is attached for reference. The following rules will apply with respect to use and acceptance of EBT/Debit cards during the 2011 market season:

1. Each vendor must participate in a training program to learn what foods are and are not allowed to be purchased with an EBT card.

2. A Market Helper will be available on Wednesdays & Saturdays to operate the EBT/Debit Card terminal and distribute tokens to customers.
3. The Market Helper will collect tokens from each vendor at the close of the market day (Wednesdays & Saturdays).
4. The Market Helper will be responsible for maintaining bookkeeping records for vendor sales on Wednesdays & Saturdays. Each vendor will be responsible for their own personal bookkeeping.
5. Payments for EBT/Debit Card purchases will be made to vendors within 7-10 business days of the market day during which EBT/Debit Card purchases were made. Payments will be made in the form of a check.
6. The Hopkinsville-Christian County Downtown Farmers Market will be responsible for providing tokens to be used with the EBT/Debit Card Program.
7. There will be no charge to the vendors for participating in the EBT/Debit Card Program during the 2011 market season.
8. There will be no charge to the market customers for utilizing the EBT/Debit Card terminal.
9. Vendors must charge patrons utilizing the EBT/Debit Card Program the same price for goods being sold to the general public at the Hopkinsville-Christian County Downtown Farmers Market.

SENIOR FARMERS MARKET NUTRITION VOUCHER PROGRAM

The Hopkinsville-Christian County Downtown Farmers Market was the recipient of a grant from the Kentucky Department of Agriculture for Senior Farmers Market Nutrition Program Vouchers. So long as funding is available from the Kentucky Department of Agriculture, the Senior Farmers Market Nutrition Program Vouchers will be made available to eligible Christian County residents. The following rules will apply with respect to use and acceptance of Senior Farmers Market Nutrition Program Vouchers during the 2011 market season:

1. Each vendor must participate in a training program to learn what foods are and are not allowed to be purchased with the Senior Farmers Market Nutrition Program Vouchers.

2. A separate agreement must be executed by vendors who are wanting to participate in the Senior Farmers Market Nutrition Voucher Program (form to be provided by the Kentucky Department of Agriculture).
3. Upon execution of the Kentucky Department of Agriculture agreement, the participating vendor will be provided a stamp for endorsing the vouchers. It will be the responsibility of the vendor to deposit the vouchers to the local bank of their choice. Each vendor must provide the name and address of the bank they intend to use so contact may be made with the bank regarding acceptance of the vouchers.
4. Participating vendors must display their Senior Farmers Market Nutrition Voucher Program sign (to be provided upon execution of the Kentucky Department of Agriculture agreement) so customers will know which vendors they may purchase items from.
5. Vendors may only accept the Senior Farmers Market Nutrition Program Vouchers at the Hopkinsville-Christian Downtown Farmers Market. You **ARE NOT ALLOWED** to accept the vouchers at your farm or business.
6. Every effort possible will be made to distribute all available Senior Farmers Market Nutrition Program Vouchers to eligible Christian County residents.
7. There will be no charge to the vendors for participating in the Senior Farmers Market Nutrition Voucher Program.
8. Vendors must charge patrons of the Senior Farmers Market Nutrition Voucher Program the same price for goods being sold to the general public at the Hopkinsville-Christian County Downtown Farmers Market.

RIGHT OF REFUSAL

The Hopkinsville-Christian County Downtown Farmers Market reserves the right to refuse membership to anyone.

HOLD HARMLESS STATEMENT

Market members agree to release and hold harmless the City of Hopkinsville, the Christian County/Hopkinsville Development Corporation, the Hopkinsville- Christian County Downtown Farmers Market, the Hopkinsville-Christian County Planning Commission, d.b.a. Community and Development Services, and all directors, officers, agents and employees from all claims related to or arising from such membership, as a condition of membership.

ENFORCEMENT

1. The Market Managers will oversee the market during operating hours and will report any violations of the established guidelines to the Board of Governors.
2. Violation of any section of these guidelines will result in the following penalties:
 - a. First Offense: Verbal warning
 - b. Second Offense: Two (2) week suspension
 - c. Third Offense: Suspension for the remainder of the market season
3. If any vendor returns to the market during a suspension period, this will constitute immediate revocation of their membership.

I have read and understand the Hopkinsville-Christian County Downtown Farmers Market 2011 Guidelines and agree to comply with the items contained therein.

PRINTED NAME

DATE

SIGNATURE

MEMBERSHIP AGREEMENT

I acknowledge that I have read and understand the above stated rules, for the Hopkinsville-Christian County Downtown Farmers Market, and I agree to abide by all rules adopted by the Board of Governors. I further acknowledge that I have received a copy of the rules.

Address: _____
Phone #: _____
e-mail address: _____

Market Member Signature

Print Name

Tax Number (if applicable)

Date

Certification Number (if applicable)

Please list products that will be sold at the Market (attach additional pages if necessary):

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Please list the names, addresses, and phone numbers of any individuals authorized to sell on your behalf:

NAME

ADDRESS

PHONE #

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____