



**DOWNTOWN BLOOMINGTON ASSOCIATION
FARMERS' MARKET & ARTISTS' ALLEY
2017 Rules & Regulations for Farmers, Prepared Goods Vendors, & Artists**

1. **Market Schedule** - The outdoor season will be held from 7:30 am - 12 pm every Saturday from May 6 through October 28, 2017. In addition, an indoor season will be held on the Saturday before Thanksgiving 2017 and then, every third Saturday December 2017 through April 2018.

Sales will not be permitted before the market opens (at 7:30 am during the outdoor season and at 10 am during the indoor season), and tear-down must be completed by 12:45 pm (during the outdoor season). To allow adequate preparation time, all vendors are required to respect the opening time and refrain from early sales, except to other vendors, who may purchase items from each other before the market opens.

For the convenience of customers and vendors, a bell will be rung to mark the opening time. Vendors should arrive no earlier than 6:15 am and no later than 7 am. **Those who do not arrive by 7 am may be reassigned to another space.**

2. **Restrictions on Driving through the Market** - Due to safety concerns, no vehicles may be driven through the Market between 7:15 am and 12 pm. If a vendor needs to leave early, a space at the end of the street may be requested, if available. Other options may be discussed with Farmers' Market representatives at the Information Booth.
3. **Obligations of Market Staff** - The Farmers' Market will be promoted through local media, advertising, posters, banners, and press releases. A representative (staff or volunteer) will be available to open and close the market and to address any vendor or customer concerns. Concerns may also be addressed to the Downtown Bloomington Association at the address and phone number at the end of this document.
4. **Membership in the Farmers' Market Application Committee:** Duties of the Farmers' Market Application Committee are described in other provisions of these Rules & Regulations. The Farmers' Market Application Committee will consist of six to eight persons who have participated in past seasons as a vendor or customer.

Members of the Committee must continue to participate in the Market during the current season and remain in compliance with Market requirements. After initial selection, any Committee members who terminate their participation in the Market or are found to be noncompliant will be replaced.

5. **Products to be Sold** - All vendors must complete an application form each year in Manage My Market. All new vendors are required to create a product registry of items to be sold during the season.
 - o **Agricultural Products:** Fruits, vegetables, herbs, vinegars, cut flowers, bedding plants, potted plants, meats, eggs, dairy products, and other agricultural products

may be sold at the market. Value-added food products (e.g. honey, jams, salsas, syrups, etc.) will be admitted:

- i. a) if approved by the **McLean County Health Department** and
- ii. b) if the raw ingredients meet the guidelines set forth under “**#8 Producer Criteria.**” Seasonings and certain other incidental ingredients may be exempt from the producer requirement. Market staff will make the final decision regarding eligibility of any products to be sold at the Market. Vendors must remove products, if requested by a Market representative to do so.

All vendors selling meats, eggs, and/or cheeses must be licensed and approved by the Illinois Department of Agriculture.

- **Arts:** High-quality arts may be sold if the vendor actively participated in their production or in production of the raw ingredients used in the finished item. This venue is for artist-produced products only. Buy-sell, kit products, and mass produced products are disallowed. Artist may sell high quality reproductions (i.e. Giclee prints) of their own original artwork, but only if the total volume of these items is less than 25% of booth offerings.
 - **Prepared Goods:** The market admits a small number of vendors selling value-added foods or non-edible products (like beauty/spa) that they process or prepare themselves. Prepared goods vendors must meet **McLean County Health Department** requirements for those who are selling edibles. In the instance of pet foods and treats, prepared foods vendors must meet Illinois Department of Agriculture requirements. Preference will be given to vendors who use ingredients grown in Illinois where possible.
6. **Certificates/Licenses/Permits** – All products must comply with local, state and/or federal health ordinances and all the vendors must supply documentation of such compliance to the Downtown Bloomington Farmers’ Market. An application is not considered complete without the inclusion of all applicable permits for all listed products. All permits and licenses must have been submitted prior to attending the Market and must be kept current for the entire Market season. **All permits must be uploaded to Manage my Market as part of the application process.**
7. **Commitment to Market** – There is an expectation that farmers and prepared goods vendors will commit to the entire market season and participate on a regular basis. Full season artists are expected to honor the participation schedule established at the beginning of the season. A schedule will be developed prior to the start of the market season documenting when each vendor is committed to participating in the Market. An exception to this rule is if the growing season for a specific product is shorter than half the outdoor season, then the application committee will evaluate the application on a case by case basis. **If the vendor is unable to meet the agreed schedule, Market staff should be notified at least one week in advance.** No refunds will be made for dates the vendor is unable to attend.

Vendors who are absent without providing at least one week’s notice may be reassigned to a different booth space for the remainder of the season. Vendors missing two or more weeks without providing at least one week’s notice will be subject to forfeiture of booth

space and vendor fees for the remainder of the season. Exemptions may be made in emergency situations at the discretion of Market staff.

Vendors missing more than 3 weeks will be reassigned as a partial-season artist and will be required to follow drop-in procedures; including the additional fee of \$20 per week for the remainder of the season. **Exceptions may be requested for emergencies and on dates where inclement weather poses a risk to the vendor's work.** Market management has final authority to approve requests for exceptions. Partial-season artists are considered "drop-in" and receive space on a first come, first serve basis each week.

8. **Producer Criteria** – The Downtown Bloomington Association Farmers' Market is a "**producer-only**" market. Sale of items not grown or created by the vendor is strictly prohibited. The following are criteria for determining whether a prospective vendor is qualified to sell at the Market. These criteria will be used by the Application Committee to determine whether a vendor is in compliance with this requirement. **Decisions of the Application Committee will be based on their best judgment and are considered final.**
- The vendor must own, lease, rent, or have other authorization to use the land on which the products sold at the market are raised. Any other arrangements must be reviewed and endorsed by the Farmers' Market Application Committee before the application can be approved.
 - The vendor must produce any and all products sold at the Market.
 - i. Crops must be planted, maintained, and harvested by the vendor. In the case of perennial crops (e.g., trees, vines, bushes, etc.), the requirement is to maintain and harvest only.
 - ii. Vendors who sell floral products or potted plants must maintain any purchased plants on their premises for at least 45 days before selling them as potted or cut products; if potted, the plants must be repotted into new containers prior to offering them for sale at the Market.
 - iii. Farmers raising poultry, fowl, sheep, hogs, cattle, fish, or other live animals must have owned and raised them for at least 45 days prior to offering the meat or other products (milk, honey, eggs, wool, etc.) for sale at the Market.
 - All fine arts presented must be the original artwork of the exhibiting artist. Castings from commercial molds, kit items, and buy/sell items will not be allowed. The Farmers' Market reserves the right to exclude any work it deems unsuitable for display, or which it judges not to have been accurately represented by the photos or the application. If the artist wishes to sell items not represented in the original application, an amended application must be submitted before the additional items can be offered for sale. Printed products featuring the vendor's original work are permitted and may include posters, photographic prints, note cards, t-shirts, Giclee prints, etc. However, such products must constitute less than 25% of the retail value of displayed art and must be identified as reproductions. If a booth space is to have representation from a variety of artists, each included artist must be approved by the jury process before their work may be displayed and/or sold at the Farmers' Market.

9. **Artist Jury Process** – All new artists and those who have participated in two years or less and any artist who is bringing a new medium are required to submit materials for art jury. In the case of a “consortium” of artists sharing a space, the \$20 jury fee and examples/photos of work must be included for **each** artist represented. A maximum of four artists can share one stall. All artists must provide good-quality printed or digital photos representative of the work to be sold at the market. All images need to be at least 400 x 600 pixels and in one of the following formats: jpg, bmp, or tiff formats. Images for art jury and the art jury fee need to be submitted on the McLean County Arts Center [website](http://www.mcac.org) or by going to www.mcac.org and clicking on “Farmers Market Artists Alley Application.” All decisions made by the jury are final. Artist may reapply with a new body of work at any time.
10. **Persons Allowed to Sell at the Market** -- Persons selling a vendor’s products at the Market must be members of the vendor’s family or a paid employee who participates in the production of products sold at the market. Persons selling at the Market must be able to accurately answer questions about how products were grown and harvested or, in the case of artists and prepared goods, how they were prepared, processed and/or created.
11. **Illinois Business Tax number (IBT)** – All vendors are required to have an Illinois Business Tax number before the first day of the market. All vendors are required to collect and pay all sales tax related to items sold at the Market. These taxes must be reported to the Illinois Department of Revenue as collected in Bloomington. For business registration forms, contact 217-785-3707 or visit www.revenue.state.il.us. The IBT number must be listed on the Market application. Applications lacking the IBT number will be considered incomplete and you will not be able to participate. No exceptions.
12. **Inspection Requirements** – All new farmers and prepared goods vendors are subject to inspection of their production site. The inspection fee is \$20 and is to be paid pending approval.

All vendors must agree to allow inspection of their production site by authorized representatives of the Farmers’ Market at any time for any reason. Vendors will be contacted in advance to schedule an appointment for the inspection. If a vendor refuses to allow an inspection or does not fully cooperate with the inspection, the vendor’s participation will be terminated without any refund of fees.

If, after completion of the inspection, market staff judges a vendor to be in violation of the provisions of this document, their participation in the market will be terminated without any refund of fees. Appeals may be made to the Application Committee, who will have the final authority to determine if a vendor is non-compliant and subject to dismissal from the market.
13. **Approval of Vendor Applications:** The Farmers’ Market Application Committee will make an initial recommendation regarding acceptance of individual vendors based on the vendor’s application. Factors to be considered include completeness and accuracy of application materials submitted by the vendor, previous market experience with the vendor (in the case of returning vendors) and fit with the needs of the market, including product mix. The decision to approve applications will also be based on available space and compliance with fee payment requirements.

All vendors will receive an e-mail notification if they're approved or declined. If approved, booth assignment information will follow in a separate e-mail. **All final decisions will be made at the sole discretion of the Farmers' Market Application Committee and staff.**

14. **Noncompliance** – The Market reserves the right to refuse acceptance of any vendor or product that is not in accordance with the rules or quality standards of the market and to terminate the participation of a vendor who does not comply with these requirements. Fees will not be refunded if vendors are terminated for noncompliance.

A vendor may file a complaint in writing about other vendors with Market staff or a member of the Farmers' Market Application Committee. The identity of any individual filing a complaint will be kept confidential. Further investigation of complaints will be conducted at the discretion of Market staff or the Farmers' Market Application Committee.

If a vendor is judged to be non-compliant, the Farmers' Market Application Committee will determine the appropriate response, depending on the nature of the violation and any pertinent market rules and regulations. **Market staff and the Farmers' Market Application Committee have final authority to make decisions in compliance disputes, based on their discretion and best judgment.**

15. **Booth Space** – A standard street stall consists of one parking space 20' x 7'. **One vehicle is permitted per street stall; all other vehicles must be parked in designated city parking garages (see map below).** Stalls will be assigned at the beginning of the season and an effort will be made to assign the same stalls throughout the season. However, the market is unable to guarantee that stall assignments will remain the same every week. All set up items (tents, chairs, tables, drop cords, display boards, etc.) are the responsibility of the vendor. Gas generators are not permitted.

Stall assignments are valid only for the vendor who submitted the original application and may not be assigned or sub-let to another party. All prospective vendors must go through the application and approval process to receive their stall assignment from Market staff.

16. **Legal Compliance** – Vendors are expected to familiarize themselves with local and state laws related to their business and are responsible for compliance, including but not limited to laws related to health regulations, weights and measures (Illinois Department of Agriculture), sales taxes and insurance. Government officials may visit the market to assure compliance with their agency's regulations.

17. Fees and Discounts -

Fees for 2017

Season	Fee type	Full season (farmer/prepared goods vendors)	*Drop-in
Outdoor	Single stall	\$300	\$20/day
	Double stall	\$550	\$40/day
	Triple stall	\$800	\$60/day
	Application fee	\$15	\$15
	Inspection fee	\$20	--
	Art jury fee	--	\$20
Indoor	Single stall	\$150	*\$50/day
	Double stall	\$200	\$100/day
	Triple stall	\$250	\$150/day

*Artists have the option of doing drop-in attendance during the outdoor season. All vendors have the option of doing drop-in attendance during the indoor season.

Discounts:

If your full season outdoor fee is paid by May 31, 2017 you will receive a 5% off discount.

If your full year is paid by May 31, 2017 you will receive a 10% off discount.

18. **Required Signage** - The State of Illinois requires that all growers display signage with their business name and farm location/product origin. Signs identifying the name and location of the vendor's business must be posted before sales begin. Signs, boards, tags, or labels listing prices of all products for sale must be posted prior to the beginning of sales.
19. **Sales Practices** - No crying out, "hawking," or other aggressive sales techniques are allowed. Market staff will make the final determination as to whether a particular sales practice falls within this provision. Vendors must agree to follow the direction of the market representative in regard to these practices. Circulating the market to hand out free items and/or sell items is also prohibited.
20. **Code of Conduct** - Vendor behavior, personal appearance, and maintenance of their sales area should reflect positively on the Market's overall appearance, quality, and reputation. To support this obligation, vendors are expected to:
- Maintain safe, clean conditions in and around the sales area
 - Maintain a professional and tidy personal appearance
 - Maintain cordial relations with customers, Market staff, and other vendors
 - **Refrain from smoking in and around the sales area**
 - Maintain clear access for pedestrian traffic
21. **Clean up** - Vendors are responsible for cleaning all trash and waste within and around their allotted space before leaving the Market each week. Tear-down must be completed and the street cleared for re-opening by 12:45 pm.

22. **Vendor Parking** – Adequate, convenient parking continues to be a concern for our customers. Consequently, vendors parking vehicles outside the market are not allowed to park on the streets surrounding the market. Instead, vendors and their employees must park in one of the city parking garages. The attached map indicates the location of these parking options. **Failure to comply with this requirement may result in forfeiture of stall space for the remainder of the season.**
23. **Location** – The market will be located in the Museum square at the intersection of Main, Jefferson, and Center Streets. There is no alternative location in the event of rain, so vendors should come to the market prepared for any adverse weather. A tent or canopy is recommended but should be properly anchored with weights (not stakes) in case of windy conditions.
24. **Vendor Participation in Electronic Benefit Transfer (EBT) and Credit/Debit Card Service Program** -- To ensure consistency and clarity for customers, the market requires that all vendors participate in the EBT and Debit/Credit service program. The Downtown Bloomington Association Farmers' Market operates a point of sale machine that we are able to run LINK, Credit and Debit card transactions and in exchange customers receive wooden tokens. LINK tokens can only be used to purchase eligible food items, under the USDA's Supplemental Nutrition Assistance Program (SNAP) – formerly known as Food Stamps. [A guide](#) to what the eligible food items are is included in each vendor's token bag. Token bags are handed out at the beginning of every market and collected at the end of every market. Credit/Debit tokens can be used to pay for any items at the market – food and non-edible.
25. **Hold Harmless Clause and Insurance** – All vendors participating in the Farmers' Market shall be individually and severally responsible for any loss, bodily or personal injury, death, and/or property damage that may occur as a result of the vendor's negligence or that of its servants, agents, and employees. By signing the 2017 Downtown Bloomington Association Farmers' Market Agreement, each vendor agrees to indemnify and save Downtown Bloomington Association, the City of Bloomington, and their officers, agents, and employees harmless from any loss, cost, damages, and other expenses, including attorneys' fees, suffered or incurred by reason of the vendor's negligence or that of its servants, agents and employees; provided that the vendor shall not be responsible nor required to indemnify Downtown Bloomington Association or the City of Bloomington for their negligence or that of their officers, agents, or employees. No insurance is provided by Downtown Bloomington Association or the City of Bloomington for the benefit of participants in the Farmers' Market. **Vendors must maintain a policy of insurance covering their obligation under this agreement.**

Please address questions or concerns to:

Downtown Bloomington Association Farmers' Market

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