

Silverton Winter Market 2024-2025 Season Market Rules and Guidelines

INTRODUCTION:

Silverton Winter Market is held every Saturday morning, mid-October through early May, at Immanuel Lutheran Church, 303 N. Church St. Silverton. Hours are **10 am-12:30 pm**.

Our purpose is to provide a direct outlet for local growers/producers and a source of fresh, high quality farm products to customers, while enhancing the vitality of Downtown Silverton.

We aim to feature growers/producers mainly from Marion, Polk, Yamhill and Clackamas Counties, but in any case, all offerings must be grown/produced in Oregon.

PRODUCT GUIDELINES:

1) All products must be grown, raised, produced or gathered by the vendor in Oregon. Products which can be sold may include, but are not limited to: vegetables, fruits, berries, herbs, nuts, flowers, plants, seafood, honey, meat and dairy products; also some farm-based food items which are made by the vendor, such as cheese, sausage and baked goods. To maintain the atmosphere of a farmers market, products with commercial or super-market style packaging may be disallowed.

2) Silverton Farmers Market is intended for farm-fresh, locally grown products and is not an outlet for resale of wholesale produce or other items, even if repackaged by the vendor.

Vendors are allowed to supplement their offerings with other locally-grown produce if at least 75% of the value of offerings is grown by the vendor. Vendors may be asked to complete a form indicating the sources of products not grown by them.

The intent regarding the remaining 25% is to allow vendors to accommodate informal arrangements with friends and neighbors. Products not grown by the vendor should be accepted on a consignment basis, so that the risk is borne by the producer. A 20% commission is recommended. Vendors consigning for others are required to display signs identifying the producers of such items.

3) Bedding and landscape plants and flowers (live or cut) must be propagated by the vendor from seed, cuttings, bulbs, plugs or plant division.

4) The Market may allow some "farm-style" non-food products, such as goat milk soap and beeswax candles made from local farm components that are grown or raised by the vendor (e.g. milk for a milk soap vendor, honey for a beeswax candle seller). At least 75% of the value of the items offered must be produce and food items. Vendors may be asked to specify the sources of the components of any non-food items. Products may be sold in decorative containers, but the focus must be on the product, not the container.

5) Some crafts may be sold at the Market. Craft vendors must go through a jury committee to be approved, and no more than 25% of the stalls shall be craft booths (40% in the holiday months). Craft vendors must also fill out an application specific for crafts. Please inquire about jury committee guidelines for more information.

6) The Market does not offer exclusive rights to any one vendor to sell any one product. 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.

7) All products shall be of good quality. Issues of quality will be addressed by the Board.

8) The sale of live animals may be prohibited.

9) Prices for all products must be clearly posted.

VENDOR OBLIGATIONS:

OUR FOREMOST OBLIGATION IS FOR THE SAFETY AND WELLNESS OF OUR COMMUNITY, OUR CUSTOMERS AND OUR VENDORS. PLEASE WASH YOUR HANDS OFTEN AND KEEP YOUR BOOTH CLEAN AND TIDY. COVID RESTRICTIONS HAVE BEEN LIFTED AT THIS TIME, BUT COULD RETURN AT ANY TIME. LET'S DO OUR PART.

1) Vendors are responsible for informing themselves, and complying with, state and local health regulations and licensing requirements governing the production, display, distribution, sampling and sale of their products. The Oregon Dept. of Agriculture's "Direct Marketing Handbook" in addition to "Food Safety at Farmers Markets Information and Guidelines" are good references. Copies can be obtained through the ODA.

In particular, vendors must comply with the rules regarding farmers' market sanitation and health issues, as covered in the Oregon Dept. of Agriculture's "Food Safety at Farmers Markets Information and Guidelines, Section B. Farmer's Market Vendor Responsibilities". Processed and baked goods must be prepared in licensed kitchens. Special requirements apply for "potentially hazardous foods" – as defined by OAR 603-25-010(20) – and foods sampled by customers.

All products offered for sale at the Market must comply with state and federal standards governing weight, packaging, display and labeling.

Nursery licenses are required for live plant products.

Produce sold as "certified organic" must be certified by an organic certification organization, such as Oregon Tilth. A farm using strictly organic practices and selling less than \$5000 of produce annually is exempt from certification, but may be required to provide proof of their growing practices to the Market.

1) Vendors shall provide the Market in advance with copies of any permits, licenses and certifications applicable to the sale of their products.

2) Vendors participating in the farmers market WIC and Senior Nutrition programs must learn and follow program rules and must be appropriately registered.

3) Since the Market itself cannot assume responsibility for product liability, vendors are encouraged to purchase product liability insurance; and they are required to do so if "potentially hazardous foods" and or "processed foods" are sold.

4) Booths and tables shall be provided by the vendor and must not be a hazard to the public or other vendors.

Federal Disabilities Act regulations require customer service counters to be a maximum of 36" from the ground, a minimum of 27" clear underneath and a minimum of 36" wide. Vendors should offer assistance in their booth to disabled customers whenever needed.

5) Each booth must prominently display a sign identifying the farm or business by name, location and contact information. Accurate product descriptions will be provided by the vendor.

6) Vendors are responsible for keeping their spaces attractive and clean during market hours and sweeping up any debris left in their space after tear down.

Per ODA requirements, excess produce shall be stored in impervious plastic tubs or coolers. Or if using cardboard boxes, they must be elevated off the ground (i.e. on top of another empty box or crate).

Vendors whose products generate waste (e.g. ready-to-eat items and free samples) must provide trash receptacles at their booth for customer use. Vendors are required to remove this refuse from the

market site. Vendor's trash receptacles may not be discarded in the receptacle provided by the City of Silverton.

7) Producers may use employees or family members to sell their products. If employees are used, the Market may require proof of employment.

8) Vendors may not smoke anywhere on the church property.

9) Vendors may not bring pets to the Market.

10) Vendors must notify the Market Manager of absences by the Wednesday prior to the Market by 5 PM. Please contact the Manager during regular business hours (8 AM to 6 PM), unless you have an emergency.

11) Insurance: Vendors are required to list Silverton Farmers Market as an additional insured certificate holder on their insurance policy with the same limits as the market insurance which is \$1,000,000 per occurrence and \$2,000,000 aggregate.

SET UP/TAKE DOWN:

1) All vendors must have stalls set up and ready for sales by the start of each market day by 10:00 AM.

When unloading, it is critical that all vendors do not delay another vendor by blocking access to doors. Therefore, unloading must be done in as rapid a manner as is safely possible. Set up begins at 8 am prior to the start of each market.

Booth space is assigned by the Manager. Every effort will be made for regular vendors to occupy the same space all season, but adjustments may be made to maintain a cohesive layout.

Late-arriving vendors must report to the Manager, who may impose restrictions, as appropriate, on vehicle access.

Vendor/employee parking is at the back of the parking lot.

The Market can be closed at any time at the Market Manager's discretion. The Market assumes no liability after the time of closure.

Vendors may not sub-let stalls under any circumstances.

The weekly space rental must be paid in advance. The first payment is due upon receipt of your application. The deadline to cancel a reserved booth space is Wednesday at 5:00 PM before each market date. If you fail to cancel by that time, your fee will be retained by the market. No vendor will be allowed to set-up until the weekly fee has been paid.

When membership fees are paid, copies of relevant permits, licenses and certification must be presented. The vendor will then be officially registered with the market.

Members are encouraged to attend board meetings, dates TBA.

ENFORCEMENTS & DISPUTES:

1) Silverton Farmers Market reserves the right to inspect any vendor business with an on-site visit to verify vendor claims.

2) All rules of the Market are enforced by the Market Manager who has ultimate on-site authority, and who is directly responsible to the Board of Directors. Complaints or concerns should be directed to the Market Manager in a way that is not disruptive to the Market.

- 3) If a vendor does not abide by these rules, the Manager is empowered to take all appropriate action, including barring the vendor from selling at the Market for that day and any further market days.
- 4) A vendor may appeal any decision of the Market Manager concerning violation of these rules. An appeal must be presented in writing to the Board of Directors. A decision by the Board shall constitute a final decision of any appeal.
- 5) Disputes among vendors should be addressed to the Market Manager in writing within a week of the infraction. The Manager will deliver a copy to the vendor in question as soon as practical. In turn, they will have one week to reply in writing. Management will attempt to resolve disputes without Board action, but will notify the Board of any unresolved disputes. For situations that cannot be resolved by Management, the Board will follow By-Law procedures in consideration of the case.

OTHER:

- 1) Silverton Farmers Market reserves the right to prohibit anyone from selling, or to prohibit any product from being sold, at the Market.
- 2) Silverton Farmers Market is not responsible for any loss or damage incurred by the vendors.
- 3) Every vendor shall receive a copy of these rules and shall be held responsible for following the guidelines set herein.
- 4) The Board of Directors may alter the rules, as permitted in the By-Laws. All members, including registered vendors, will be promptly notified of any rule change.