



Flagstaff Community Market Rules & Regulations

I. Mission

The Flagstaff Community Market is a regional farmers market that operates for growers and producers of agricultural and related products. The primary purpose of the market is to support small and medium sized independent growers and producers by providing people with a local alternative to corporate and globalized food production. It is our intent to connect growers and consumers and encourage people both urban and rural, in growing more of their own food. A secondary purpose is to provide an outlet for small-scale producers of value added food products, local artisans, and community and sustainable agricultural groups. Additionally, it is the purpose of Flagstaff Community Market to provide a community gathering space for residents and visitors of Flagstaff to mix in a relaxed, educational, and fun environment.

II. Market Guidelines

A. Flagstaff Community Markets (FCM) will determine market location, dates, and hours.

B. Membership and vending fees are set by FCM. Market participants pay 10% of gross sales at the close of each market plus a flat registration fee. Each vendor will report sales to manager at the close of each market day. Refer to Vendor Registration for registration fees. Reserved spaces are available on a limited basis, allowing for a vehicle and are assigned by FCM manager. Growers & returning vendors are given first priority for reserved spaces. FCM will allow a limited number of spaces (less than 5% of total spots) for Flagstaff local artisans who are "grandfathered" full season artists. All other Artisans are scheduled on a rotating basis as Managers discretion.

1. FCM reserves the right to randomly audit vendor sales and FCM and/or its Manager have the right to suspend or revoke a vendor's ability to sell at any point.

2. No resale of any peripheral items such as bottled water, soda, or other items is permitted at any booth, however; FCM reserves the right to permit sales of these or other items at FCM's booth.

3. It is expected that vendors unable to attend a market should notify the Market manager at least 48 hours in advance. Full season vendors who fail to notify

manager of an absence within the 48 hour window, may lose their seniority for the following year and non-full season vendors may lose their privilege to sell.

III. Vendor Guidelines

A. The following **MUST** be received and approved prior to vending

1. Completed and signed vendor registration and proof of all relevant licenses and health department certifications.
2. Copy of liability insurance for ALL value added vendors. Growers and artists may submit a signed indemnity agreement.
2. Payment of all seasonal membership and reserved booth fees.
3. Signed copy of the FCM Rules and Regulations.
4. Signed vendor agreements and crop plans. (For vendors accepting food stamps, double up food bucks, and/or farmers market nutrition program only)

B. Vendors must allow a representative of FCM to inspect farms and facilities to ensure vendors adhere to Rules and Regulations.

C. Vendors will not be allowed to set up if they do not provide all insurance, licensing, tax ID numbers, required fees and signed documents.

D. Only full season reserved vendors are given first right of refusal for the following year.

E. ALL single use food service items must be made of paper or certified compostable products. ALL compostable products **MUST** be labelled with "BPI Certified" or "Compostable". Biodegradable is **NOT** the same as compostable. No single use plastic products are permitted at the market. You will not be able to sell prepared food, beverages or distribute samples unless these requirements are met. **No exceptions!** FCM can assist in accessing appropriate compostable products for your business. No styrofoam products are permitted.

F. It is encouraged and expected that processed & prepared food vendors use AZ/locally grown fruits and vegetables in their products. Prepared food vendors must be able to document, verify and display what items are sourced from Arizona farms and market growers/primary producers.

G. Vendors may sell for another grower/primary producer with manager's approval and subject to the submission of application and registration fee paid for and signed by the additional grower/producer.

H. Vendors are not permitted to sell items that were not listed on the original application without prior approval from manager.

IV. Vendor Selection

A. All vendor applications will be reviewed and accepted or rejected by FCM.

B. Priority for vending is given to primary producers/growers of agricultural products.

Value added/artisan vendors may be asked not to sell on specific market days during peak harvest season.

1. All growers accepting payment from Arizona's Farmers Market Nutrition Program must adhere to Arizona Department of Health's rules. Find more information at

<http://www.azdhs.gov/prevention/azwic/farmers-markets/index.php#growers>

C. All applicants must include registration fees with their application. Venmo is the preferred method of payment but checks are also accepted. See the bottom of the application for Venmo and check information. If applications are rejected, application fees will be refunded. The

Manager has the right to accept or reject any applicant at any time.

D. Some of the criteria for acceptance for Agricultural Producers are based on the following guidelines

1. Farmers who grow, cultivate, and harvest their produce, herbs, flowers, and nursery crops for sale at the market. Included in this category are also beekeepers, eggs, dairy, and meat producers and farmers who process their own raw product into "value-added" items.

2. Nest run egg vendors must register and comply with relevant Arizona Department of Agriculture standards. Please call 602-542-4373 for information. All eggs must be kept and held at 45 degrees or lower and all cartons must be labeled with the following information: "Nest Run Egg/Farm Name/City or Town/Phone Number".

3.. NO RESELLING OF ANY PRODUCE/PRODUCT IS PERMITTED AND FAILURE TO COMPLY WITH THIS PROVISION IS GROUNDS FOR IMMEDIATE REMOVAL FROM THE MARKET.

4. Wild harvested items and mushrooms are currently permitted for sale at the market with Managers approval.

Vendors must adhere to mushroom harvesting policy of the market and limit sales to specific species of local mushrooms. Market

manager may revoke the right to sell at any time and all mushroom sellers must discuss experience, permitting, harvesting and

storage techniques with market manager prior to being accepted into the market.

E. Criteria for acceptance for Value Added/Prepared Food are based on the following guidelines and FCM will limit new vendors who sell similar value added/prepared food to that of existing vendors.

1. Vendors offering food products they have processed themselves into ready-to-eat or

prepackaged items for sale are value added. NO SUB-CONTRACTED PROCESSING IS ALLOWED at the Market.

2. The Market requires ALL vendors separate their trash and recycling and organic/food waste.

3. The Market expects that all processed/prepared food vendors utilize produce and products from farmers market and Arizona growers.

Priority will be given to those vendors who utilize produce from our market growers.

Please promote the locally produced ingredients you use at your booth.

4. All food vendors must meet any applicable local, state, and federal regulations. If you sell prepared foods that are temperature controlled or sample at the market

you MUST have and display a Coconino County Public Health Services District

Temporary Food Service Facility License and State

Sales Tax number. If you sell prepared foods or sample at the markets you MUST have a hand washing station. Call Environmental

Services at 928-679-8760 for more information. If you do not have these displayed, you will NOT be permitted to sell. ALL Value

Added vendors MUST carry commercial liability insurance and list Flagstaff Community Markets, LLC as an additional insured and

provide FCM with a copy of that certificate-No Exceptions!

5. No new vendors who cook or fry and produce grease laden vapors in a canopy (as opposed to a food truck) are allowed in the market due to fire department

requirements. Canopies where grease laden vapors are produced may not have any sides put on the canopies.

F. Some of the criteria for acceptance for Artisans are based on the following guidelines

1. Local artisans are persons who personally make the products they offer for sale at the Market.

2. Decisions on which artisans will be allowed into the market are based on history with the market and compatibility with the mission

of the Market. Artisans are not permitted to reserve a space and will not be able to have their vehicles with them. Their placement

will be determined by Market Manager.

4. Any artisan vendor must pay their daily \$25 registration fee in advance via Venmo.

G. Criteria for acceptance for community groups are based on the following guidelines

1. Community groups offering services and information will be admitted based on space availability and compatibility with the

mission of the Market. No political or politically oriented groups are permitted.

2. Community groups are not permitted to sell and products unless it is for fundraising purposes and is approved by Market Manager.

3. These vendors will be required to submit an application and proof of insurance or a signed indemnity agreement and may be required to pay booth fees.

V. Stall Guidelines

A. Products being sold are grown or produced by the grower/producer or his/her employees and these employees must be listed on the registration form.

1. A vendor or his/her employees can sell another growers products provided all of the following criteria are met: Both parties are current members of the market and adhere to all rules, guidelines and fee structures. No more than two other growers/producers product may be sold at a vendors booth without permission from the Manager. Applications and registration fees must be filled out and paid by the other producers-no exceptions. Farm inspections may be required before allowing sales for another grower. Manager must approve all sales by vendors for another grower/producer-no exceptions.

2. Products sold must be grown or produced locally or regionally and where FCM can reasonably inspect their farms and operations. If we cant inspect your facility or farm, you can't sell your product at the market.

3. This is a producers only market- no resale of produce or agricultural products.

B. Necessary documents, i.e. health permits, proof of insurance, TPT license, etc., will be accessible at all times and copies will be on file with the Market Manager. These must be submitted with the application and no selling will be permitted without displaying

Tax License and Public Health Services District Permits and Certificates.

C. All scales must bear a current seal from the Department of Weights and Measures.

D. Vendors will sell at designated stall space and maintain their stall space in clean, sanitary and safe condition. No dogs are permitted inside vending booth.

E. Signs will be accurate and truthful and meet any ARS/Arizona Department of Agriculture standards.

F. Vendors who market their products as "Organic" must have proof of certification on display or must show that they meet the National Organic Program requirements.

G. Music played must not be disruptive to neighboring stalls or overall Market.

H. Selling will not start before Market Manager announces start of the Market.

I. Pre-market sales, post-market sales, and early breakdown are only allowed with permission of the Market Manager. Wholesale or bulk sales of products to restaurants that occur at the Market are to be counted into gross

sales figures and included in the 10% of sales figures.

J. Vendors must pay their sales percentage due to the Market on market day.

K. Vendors and management are expected to maintain high standards of honesty and respect towards one another and customers and conduct themselves in a courteous manner at the market. Rudeness, prejudice, intolerance towards others, and dishonesty at the market are grounds for removal from the market.

L. All vendors must break down boxes and separate recycling. No co-mingling of trash and recyclables is permitted.

M. All vendors who wish to sample, must have a hand wash station at their booth and follow all sampling guidelines from the Coconino County Public Health Services District. Call 928 679-8760 for more information on sampling guidelines.

N. We do not have any source of power at our markets. If you need power, you are responsible for supplying that (solar generators/other quiet sources of power are preferred over gas generators).

O. No gas generators in the center of the market, all generators must be at least ten feet from other vendors, and if your generator makes an excessive amount of noise that is disruptive to other vendors you will be asked to either supply noise suppression (like a zombie box), purchase a new, quieter generator, or you may be moved farther away from other vendors.

VI. Market Safety

A. Vendors should begin set-up no earlier than two hours before the market starts. Vendors without a reserved space must check in with the market manager prior to set-up.

B. The manager may allow vehicles to park at stalls provided adequate overall market space is available and vendor arrives at least 30 minutes prior to market opening time. Spaces will NOT BE HELD if vendor shows up less than 20 minutes before start of market. ONLY vendors with reserved spaces are guaranteed to be able to have their vehicles at their stall.

C. Late arrival participation will be contingent on space availability and vendors will park outside designated market boundaries and carry products to stall space.

D. Vendors will not move their vehicles without first notifying the market manager and only as it is safe and not disruptive to overall market.

E. Vendors have responsibility for the safety and behavior of their children and animals. All pets must be leashed and kept out of vending booths.

F. ALL CANOPYS MUST BE SECURED WITH WEIGHTED SANDBAGS OR SIMILAR MATERIAL WEIGHTS. IF A CANOPY IS SET UP IN AN UNSAFE MANNER IT WILL BE REMOVED. THE CITY OF FLAGSTAFF AND FCM HAVE ESTABLISHED MINIMUM CANOPY WEIGHT REQUIREMENTS OF 20LBS PER LEG WHICH MUST BE SECURLY ATTACHED TO THE CANOPY STRUCTURE.

FAILURE TO FOLLOW THESE GUIDELINES WILL RESULT IN REMOVAL OF CANOPY. TYING OFF CANOPYS TO ANOTHER VENDOR'S CANOPY IS NOT ACCEPTABLE. If a vendor forgets weights, they can either take their canopy down or rent weights from Flagstaff

Community Market for \$10 per weight (subject to availability).

VII. Insurance

A. FCM provides general liability coverage for the Market.

B. All value added/prepared food vendors MUST have commercial liability insurance and list Flagstaff Community Markets LLC as an additional insured. Only growers and craft vendors may choose the indemnity agreement in lieu of commercial liability coverage. Vendors and non-profit groups must provide product liability insurance with a copy to FCM and list FCM as an additional insured or a signed waiver releasing Flagstaff Community Markets and property owners from any and all liability and legal responsibility.

VIII. Market Violations and Audits

A. Any vendor violating the above stated rules and regulations of Flagstaff Community Market or the regulations of Coconino

County Public Health Services District or other local, state, or federal agencies may be suspended and/or expelled from the Market.

B. The market manager has discretion to make any on-site decisions regarding violations and audits.

C. Vendors are required to send a screenshot or picture of their daily POS totals/ any other accounting system used for the market at the close of each market

D. FCM, LLC reserves the right to audit any vendor at any time. The purpose of the audit is to verify that vendors have competent accounting systems in place and to compare a daily sales total to a running average of daily sales over time. Vendors shall cooperate with auditing process and the following guidelines shall apply to the auditing process.

1. FCM designated auditor will total daily sales at vending booth. Sales total shall not be shared with vendor and vendor shall not ask auditor for information on daily sales total. FCM reserves the right to randomly audit vendor sales/credit/debit/point of sales totals. FCM and/or its Manager have the right to suspend or revoke a vendor's ability to sell at any point.
 2. FCM auditor submits sales total to Market Manager. Vendor independently submits their total to Market Manager at settlement.
 3. Should a discrepancy exist between auditor and vendor sales total, Market Manager will contact vendor and communicate concerns.
 4. Should audited total be 30% or more higher than vendor's average sales over the vendor's market most recent 10 week history, Market Manager may immediately terminate the vendor's privilege to sell or require a follow up conversation or conditions before the vendor is allowed to return to the Market. If an additional audit is required, that audit will be paid for by the vendor (approximately \$80.00).
 5. The Community Market may require a vendor to pay the audited daily fee amount from the audit day, in lieu of the 10% until such time as deemed appropriate by Manager
 6. The results of any additional audit and subsequent action on participation with the Flagstaff Community Market will solely be determined by Market Manager(s). No refunds are given for vendor fees should a vendor be expelled from the market.
- E. Any serious violation will be reported to the proper authorities.
- D. Vendor has the right to appeal the violation to the FCM owner. Vendors will submit any conflicts, suspected conflicts, and/or concerns regarding the overall market or individual vendors in writing to the FCM owner.