

## **Kalispell Farmers' Market 2021 Rules & Regulations**

Kalispell Farmers' Market

PO Box 665

Kalispell MT 59903

Market Phone: 406-260-5102

NOTE: Changes and Additions are highlighted in YELLOW

### **Market Hours**

Saturday 9:00am to 12:30pm at the Flathead Valley Community College, south lot off of Grandview Drive.

Spring Season: May 1st - July 17th

Fall Season: July 24th - October 9th

New vendors must be approved before selling. Register online at [www.kalispellfarmersmarket.org](http://www.kalispellfarmersmarket.org), call 260-5102 or email [kalispellfarmersmarket@hotmail.com](mailto:kalispellfarmersmarket@hotmail.com) with any questions.

Vendors who are unable to act in a courteous, respectful manner to other vendors or market employees will be banned from the market. No refund of parking fees will be made.

The rules of the Kalispell Farmers' Market supersede the college, health dept., state. The market has final authority on all activities of the market

### **Parking Regulations**

#### **Fees for Non-Reserved**

Non reserved fees are \$15.00 per selling space, payable upon entrance to the market. Three space maximum.

#### **Non-reserved parking**

1. Non-reserved parking vendors will be parked between 8:00 and 8:30 a.m. Vendors must be set up and vehicles moved by 8:55 a.m.
2. Parking Personnel will park non-assigned vendors in order of arrival.
3. Vendors must cooperate with market staff in regard to parking.
4. Lineup is on the West side of the market, through the customer parking lot.

IF NOT SELLING FROM THE VEHICLE, UNLOAD PROMPTLY AND REMOVE YOUR VEHICLE TO THE VENDOR PARKING AREA, THEN SET-UP YOUR DISPLAY.

#### **Fees for Reserved**

Fees for the 12-week spring season are \$110.00 per space. Maximum of 3 spaces.

Fees for the 12-week fall season are \$110.00 per space. Maximum of 3 spaces.

We do not prorate reserved parking fees. Fees must be paid in full prior to setting up at market.

#### **Reserved Parking**

1. Reserved parking vendors may park between 6:30 and 8:00 a.m. Vehicles must be unloaded and moved by 8:00 a.m., no exceptions.
2. There are no refunds or sub-letting of spaces.
3. Vendors must cooperate with market staff in regard to parking.
4. The market manager reserves the right to offer vendors the opportunity to consolidate into a central area on low attendance days.

Fees collected are used for advertising, insurance, 4-H awards, and wages for the market manager, parking assistant and bookkeeper.

### Seller/Membership Requirements

New vendors must be approved before selling. Register online at [www.kalispellfarmersmarket.org](http://www.kalispellfarmersmarket.org).

1. Membership is open to those wishing to sell home-based products such as handcrafts and arts items. These items must be made exclusively by the vendor. Garden produce, plants, trees, shrubs, fruit, bulbs, tubers, honey or eggs that must have been grown or raised on owned or leased property in Flathead, Lake, or Lincoln Counties.
2. When registering online, the signing of the application is verifying that the vendor has read and understands the rules and regulations.
3. We encourage that the business owners be the primary seller at market. Should you choose to send an employee in your absence, be aware that it's your responsibility to inform the employee of the rules and regulations that you've agreed to when applying with us. You **will be** held responsible for their actions at market, and infractions to our rules could lead to your dismissal from the market.

### **Vendors**

1. Vendors shall provide their own tables, scales, change, bags and signs. Spaces are the size of a common parking space. If your canopy goes over the line of the adjoining vendor in the next space, they must approve of the canopy being over in their selling space.
2. Vendors are responsible for their tents, awnings, displays, vehicles, and all items in their booth space. It is highly recommended to weigh your tent/awnings down. If wind gusts start, please remove your canvas/cloth top immediately. If any of your property falls or is blown over and damages another vendor's property, you are liable for all damages to their vehicles, displays, items for sale or personal damage to them. Please be aware that unusual wind-like micro bursts do happen and they happen fast. Be prepared, as a person cannot hold down a tent and many weights can go airborne. You may wish to purchase liability insurance. The Kalispell Farmers' Market, Board of directors, and any employees assume no responsibility whatsoever for any damages incurred.
3. Only vendors selling *that* day may buy from other vendors prior to the opening bell. If possible, complete these transactions at least 15 minutes before the opening bell.
4. Vendors cannot sell, buy, or lay away product for customers prior to the opening bell. They may use numbers, if necessary, to establish buyer priorities. Hawking is not allowed. Hawking is drawing attention to your booth in order to get customers walking by to come to your selling area.
5. Vendors may advertise independently. Vendors determine their own prices.
6. It is the responsibility of vendors to clean their area prior to leaving the market.
7. Vendors may hand out produce lists, price lists, business cards, or other advertising concerning their business. Vendors may not petition drives, solicitations or exchange handouts for other businesses or religious or political affiliations.
8. All Products are subject to review at any time. If it is decided that a product does not meet the criteria for the market, the vendor will be asked to discontinue selling those items. Failure to comply will end the vendors selling privilege at the market until the compliance is assured.
9. Animals are not allowed in the market area with the exception of registered service dogs. This includes animals belonging to vendors. Companion or emotional support animals are not considered a service animal.
10. NO ONE may sell to customers before the bell ringing at 9:00am or after 12:30pm unless that transaction was already taking place or you are actively packing up and closing your booth. You may not linger in the parking lot after 12:30pm and need to be packed up and out of the parking lot by 1:30pm.
11. Vendors may not broadcast audio from any device or vehicle during set up, breakdown **or market hours**. Headphones must be used for those wishing to listen to audio.

### **Rules for All Vendors**

1. NO one is allowed on FVCC property before 6:00 a.m. or after 1:30 p.m.
2. Vehicles may not be moved into or from the market area until the bell has been rung at 12:30pm
3. Vendor vehicles must be parked in the North lot of the LRC Building (East of the motorcycle parking lot)
4. The FVCC is a NON-Smoking campus. No smoking is allowed on this tobacco free campus, including e-cigs.

5. A vendor may only leave before 12:30 p.m. if they sell out, and walk out with their tables and supplies. No vehicles may be moved during the market. NO exceptions!
6. It is the responsibility of each vendor to fit within the confines of their parking space(s). A space is equal to the space between the yellow or white lines, approximately 8ft, and not more than 23 ft. from the back of the parking space. If your tent goes over the line you must have permission from the vendor on that side!
7. No vehicles (not even the front tires) may park or drive on the grass at FVCC. All generators must be on the pavement and cannot be on the grass.

#### **Plants Produce and Fruit**

1. All purchased cuttings or plugs must be in seller's possession no less than sixty (60) days prior to date of sale. Trees, roses, etc. must be in the seller's possession no less than ninety (90) days prior to date of sale. Verification of this, including shipping date shall be given to the market manager the first time of selling. These are to be kept on file.
2. Vendors wishing to sell products as "organic" shall provide proof of certification. A copy shall be given to the market manager and another prominently displayed in the vendor's selling space. You may not advertise organic unless you *are* certified.
3. Wild Crafting: Sale of items *legally* wild-crafted from the Flathead, Lake, or Lincoln Counties is allowed; such as berries, grasses, dried materials, etc.
4. Sampling allowed only after approval of the market manager. **NO SAMPLING AT THIS TIME DUE TO COVID!**

#### **Art/Handmade Crafts**

1. Crafters are honor-bound not to offer resale items for sale. You may only sell items that you made. The market manager exercises full discretion over the "making" of art, crafts, assembled, handmade and printed items. If at any time it is determined that an item is not made by you, the market manager has the right to request you cease in selling the product(s) in question, which may result in forfeiture of your booth space without refund.
2. The products made by artists and crafters shall be juried before selling at the market. Submit 1 to 3 pictures with your online application. Each jpeg picture must not exceed 8mb in file size.
3. Any time a crafter adds a new item to their "for-sale" inventory, the new item will also need to be juried.
4. Only those items listed on the Juried App/Seller Agreement forms are to be offered for sale.
5. All vendors wishing to sell products containing CBD must provide certificates of analysis for those products. No CBD products marketed or intended for human consumption are to be sold.

#### **Eggs**

1. Vendors shall keep eggs under refrigeration/cooler at 45 degrees during transportation to Market and during Market.
2. Eggs shall be kept in suitable containers. If used egg cartons are utilized, they must be thoroughly cleaned in between uses.
3. In purchasing eggs, customers may provide their own egg cartons.
4. On egg cartons and/or signage, eggs shall be labeled "Ungraded"
5. All eggs shall be marked with the vendor's name, address and phone number.

#### **Kalispell Farmers' Market Food Policies**

The following policies have been enacted by the Board of Directors which addresses current legislation regulating food items sold at Farmers' Markets.

1. All vendors selling baked goods and jams/jellies that are not produced in a licensed kitchen must be registered with the Flathead, Lake or Lincoln county Environmental Health Agency under the Cottage Food Law. This is the

markets requirements, not the State of Montana. Contact your local health department to register with that agency and mail your cottage license with list of items you are authorized to sell.

2. Baked Goods: (breads, cakes, candies, cookies, pastries, and pies) shall be individually wrapped, or under see-through containers. Tongs and/or plastic gloves shall be used for distribution to customers.

## **Food**

1. The selling of any type of food (other than vegetables, plants, fruit) or drink is by invitation of the Board of Directors only and is on a renewable yearly basis.
2. It is the responsibility of the individual food vendor to ensure that such products as baked items, honey, cider, jams, and other processed foods are prepared per the State of Montana. The required licenses per the health department in your county will need to be submitted via email, or mailed in for review. Food vendors shall display their license each time they sell at market and also provide a copy to the market manager.
3. On-site food preparation is by invitation of the Board of Directors only. These vendors must have the appropriate county licenses too.
4. Sampling allowed only after approval of the Market Manager. No cut fruit or vegetables allowed. In addition to Market Manager approval, **sampling must be in accordance with local health department regulations. NO SAMPLING AT THIS TIME DUE TO COVID!**
5. Potentially hazardous food: Shall not be offered for sale. These include cut melons, garlic and oil mixtures, a food of animal origin that is raw or heat-treated, and food of plant origin that is heat-treated or consists of raw seed sprouts.
6. Raw and unprocessed farm products, refers to fruits, vegetables, and grains sold in their natural state that are not packaged, labeled, combined with other food products, or peeled, diced, cut, blanched, or otherwise subjected to value-adding procedures.
7. A vendor wishing to sell processed farm products shall hold a processing license and these farm products shall be processed at the location stipulated in the license.
8. Transportation of frozen food to Market: Poultry, meat, seafood, or other perishable foods. must have approval of the Board of Directors.
9. Vendors shall have a license for the facility where the product is processed, packaged, and stored which includes a mobile transportation provision.

## **Food Vendor Requirements**

1. Vendors will be juried on creativity, WOW factor, uniqueness, variety, local sourced ingredients, originality. Menu must be submitted. Any items that you are selling need to be approved before you sell them.
2. Food must have value added. This means you have to have made it or the toppings that go on it or side dishes that go with it. You may not resell purchased items such as pop, bottled water, chips, candy etc. Only homemade items that you put some effort into making.
3. You may not give away free items.
4. You may sell iced tea/lemonade or drinks that are made and have flavors added. Ex: lemon cucumber water, mint mango water etc.
5. Your mobile cart must fit into your designated space. Maximum of three spaces allowed.
6. Food vendors are required to have a reserved space and be in the space/spaces by 8:00 a.m. NO EXCEPTIONS.
7. Food vendors must have all applicable licenses and inspections and comply with all Health Department Regulations.
8. Only generators that are low noise may be used at the market. No low noise generators outside of your space. NOTHING can be on the grass at FVCC!

## **Covid 19 Kalispell Farmers Market Recommendations for the 2021 Season**

- Wear a mask or face shield covering the nose & mouth.
- Please follow current social distancing standards, remain 6' from customers and vendors
- Use tape that can be easily removed from pavement to mark line-up at your booth. Remove all tape after the market.
- Vendors may have sanitizer available in their own booths for customers

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