

Rules & Regulations for the  
Brunswick Farmers Market  
2011

**Market Mission:**

- Provide opportunity for local agriculture to sell their agricultural products directly to the consumer.
- Provide homegrown, fresh nutritious foods to the community
- Foster social gathering and community activity

**B. Governing Body**

1. The farmers' market is operated by a committee and is appointed by The Town Board of Brunswick. Together they:
  - Establish rules and regulations, adopting and amending as needed
  - Establish requirements for participation in the farmers market
  - Establish and collect application fees and lot rental fees
  - Establish the operational schedule of the market
  - Advertise and promote the market
  - The Town Board will appoint a Market Manager.
2. The market manager is responsible for the orderly and efficient conduct of the market and for implementing the rules and regulations. The market manager represents the management during market days

**C. Seasons and Times of Operation**

1. The farmers' market will operate at the Brunswick Town Office Parking lot in Brunswick, NY. It will run every Saturday from May 7 – September 17 from 9am to 1pm, rain or shine. The Brunswick Farmers Market Committee reserves the right to cancel or further limit the hours without further notice or credits due vendor.
2. No selling to the public may occur until the opening of the market.
3. Vendors may sell to one another before the opening of the market
4. Sellers may arrive up to 2 hours prior to opening to begin setting up. **HOWEVER, ALL VENDORS MUST BE SET UP BY 8:45. If you will be late please call 221-6638.**
5. Sellers must remain set up until market closing unless prior permission by the market manager is given.
6. Sellers must have their market sites dismantled, packed up, and cleaned within two hours of the market closure. No sites are guaranteed to any applicants.

**D. Who may sell at the farmers' market**

1. The market will allow vendors who make or produce what they sell within a 250 mile radius of Brunswick, NY.

**E. What may be sold at the farmers' market**

1. Products that can be sold are:
  - Vegetables grown from seeds, sets, or seedlings
  - Fruits, nuts, or berries grown on land owned or leased by the seller
  - Plants grown by the seller from seed, seedling, transplant or cutting
  - Bulbs propagated by the seller
  - Eggs produced from the seller's hens
  - Meats from animals raised by the seller

- Dairy products from animals raised by and made by the seller
- Honey produced from the seller's bees
- Cut or dried flowers grown by the seller
- Firewood cut by the seller
- Preserves, pickles, relishes, jams, sauces and jellies made by the seller
- Baked goods baked by the seller
- Maple syrup and maple products from seller's sugar bush or sugar bush under your control
- Wine produced by the seller
- Wool or wool products made from the fiber of the seller's animals
- Fine Arts
- Crafts
  - Farmers and gardeners may sell crafts as long as 51% or more of their sales comes from farm products. No partially constructed crafts should be bought and then resold, such as paint-by-the-number or T-shirts (the exception being items such as T-shirts that promote the Brunswick Market or your own farm or cookbooks by the farmer that have been approved by the Market Committee). Crafts should be traditional farm crafts. Craft items should originate on the farm with at least a portion of the materials coming from the seller's property.

\*All other products must get approval from the market committee before being sold at the Brunswick Farmer's Market

#### **F. Guidelines for selling at the market.**

1. Sellers must have a sign clearly showing their name and location.
2. Each seller will be responsible for all equipment and supplies for the setup of a booth. Displays should be constructed in such a way that they do not block customer walkways nor pose any other hazard to customers.
3. Vendors who provide samples and/or products that will result in waste material, such as cups, rinds, and corn cobs, must provide containers for waste disposal.
4. Sellers are required to keep their market space neat and clear of obstacles, litter and debris.
5. No form of discrimination is permitted at the market.
6. Sellers are expected to treat customers in a courteous manner.
7. Sellers are expected to clean their sales area and remove all refuse at the end of the day.
8. All trucks and carts needed at the sale lot should enter the parking lot area at the end of Town Office Road.
9. No soliciting by political, religious, or other special cause groups or individuals without permission at the market
10. Sellers must sign an indemnity agreement.
11. All produce and products for sale should be priced clearly.
12. Vendors must adhere to all NYS guidelines including but not limited to;
  - a. Vendors selling taxable items must display a valid NYS Certificate of Authority
  - b. Vendors selling nursery and greenhouse crops must display a valid NYS Nursery license.
  - c. Vendors selling processed foods, prepared foods, and other perishable items shall do so in compliance with the requirements of the Health Department and the Department of Agriculture & Markets.
  - d. Vendors selling by weight must have scales approved by the County Dept. of Weights and Measures.
  - e. Vendors selling by volume must use standard size containers, such as pint, quart, etc.
  - f. Vendors selling wine must display a valid NYS Winery License.

- g. All prepackaged items, such as baked goods, must be labeled in accordance with NYS labeling requirement.
- h. All baked goods must be covered when displayed.
- i. Produce cannot be advertised as organic unless it has been certified by a recognized independent third party certifying agency. Certificate must be displayed.
- j. No live animals may be sold or given away at the Farmer's Market.

15. All vendors, are required to have general and product liability insurance with minimum amounts of \$1 million each. The Town of Brunswick should be listed as additional insured. A copy of the insurance certificate must be given to the Market Manager prior to setting up or selling any products at the market.

#### **G. Fees**

- 1. The seasonal fee is \$125.
- 2. The monthly fee is \$50.00 for four consecutive weeks
- 3. The application fee is \$20. The application fee covers the first market day. The application fee will be waived for anyone paying the seasonal rate before April 1.
- 4. There is no fee for guest vendors.

#### **H. Lot Assignment**

- 1. The Committee Chairperson will assign all lots at his sole discretion. Preference will be given to seller's whose applications are complete by April 1<sup>st</sup>.
- 2. Lot sizes are 15 feet wide. A vendor may use more than one lot, but must pay the full fee for all lots used.
- 3. Permanent lots may be assigned to applicants who have paid a seasonal fee.
- 4. Sellers must notify the market manager in advance if they will be absent. The market manager is then free to set up another vendor in that space for that day only.
- 5. For safety reasons, any vendor arriving after opening may be asked to set up on a lot on the periphery of the market.
- 6. No subletting of stall space is permitted.
- 7. Rents are not reimbursable, either in whole or in part, for any reason.

## J. **Grievance Procedure**

Vendor complaints against management can be made in writing to the market's manager and governing body and by appearing at the next meeting of the governing body to address the grievance. All complaints must be addressed in writing to the market manager and the market's governing body. To eliminate frivolous complaints, a \$50 deposit as a show of good faith must accompany all complaints. The market manager and/or sponsor will investigate the complaint. If the complaint is legitimate, the vendor will be reimbursed \$50. If the complaint is found to be frivolous or blatantly false, the vendor forfeits the fifty dollars to the market's operating funds.

1. The market manager will notify sellers of any rules violations and notify the market's governing body of those violations. The Governing body will review those violations and determine consequences appropriate to the offenses, including warnings, fines and termination of the vendor's rights to sell at the market. The vendor may appeal such decision by giving written notice and appearing at the next meeting of the governing body.

## K.

1. These rules and regulations may be amended without further notice and shall be binding on all market participants.