

# MANKATO AREA GROWERS' ASSOCIATION

## 2023 General Rules and Regulations for Mankato Farmers' Market Vendors

Regular Season and Winter Market Locations

Regular Season: Tuesday and Thursday 3:00P.M - 5:30 P.M

Saturday 8:00 A.M.-12:00 P.M. Best Buy

Winter Market: 1st and 3rd Saturday of each month November - March. 9am-noon.

Bomgaars Mankato

Revised March 11th, 2023

Herein, MAGA refers to the Mankato Area Growers' Association; the market refers to the Mankato Farmers' Market; the board refers to the MAGA board of directors; and market management refers to the combined authority of the market manager/clerk and the board.

The board shall be held harmless in the event of inconvenience, loss of income, or any damages whatsoever resulting from the enforcement of these rules.

### 1. Who May Sell? What May be Sold?

- a) Vendor definitions can be found in Article III, Section 2 of the MAGA bylaws. Application does not guarantee acceptance or selling rights. Vendors will be accepted based on market needs and on a qualifying application.
- b) All applicants must live and produce their products within a 40-mile radius of the market. All current members as of March 2014, will be grandfathered in.
- c) Produce and all other products offered for sale at the market must be of good quality in the judgment of market management. Market management has the authority to direct vendors to withdraw poor quality items from the market.
- d) Each vendor is responsible for the products he or she sells.
- e) Winter market stalls are available to vendors who participated during the regular market season. Stalls are not assigned at the winter market. The winter market is held on the 1st and 3rd Saturdays of each month from November through March. Hours are 9am-noon. The market is located at Bomgaars Mankato at 1940 Adams St, Mankato, MN 56001. Vendors may start setting up their stalls 1 hour before the winter market opens. MAGA by-laws, rules and regulations, and code of conduct apply at the winter market.

### 2. Rights and Responsibilities of Vendors

- a) Any vendor who has an assigned stall at the market, who has attended the market at least five times in the past year, and who has met all the requirements for vendors in the preceding year is entitled to that same stall the following year.

- b) Rights to annual stalls may be passed on to members of the immediate family.
- c) Vendors must declare their intent to vend by January 15<sup>th</sup> of each year. This must be a written notice or email sent to the MAGA Secretary. Text or phone call is not acceptable. If notice is not correctly given by the deadline, the annual stall space may be offered to another vendor.
- d) Vendors who fail to pay membership dues and half of stall fees by the second Saturday in March, or who fail to pay the second half of stall fees on or before July 1, as outlined in the MAGA by-laws, will lose all annual stall rights and will not be allowed to set up at the market until all debts are paid in full.
- e) Vendors may bid for vacant stalls at the March meeting by filling out a bid form. Vendors will indicate on the form the number of Saturdays they attended the previous season and how many years they have been a member of MAGA. For the purposes of determining the winning bid, each Saturday attended the previous season will count as one point and each year of MAGA membership will count as two points. The present year will not count toward years of membership. (For example, if the bid is for 20 market dates and the vendor has been a member for three years, the bid is 26.) New vendors will receive one point for each Saturday they commit to attending.
- f) Vendors must notify market management at least one week prior to their first date of attendance at the market. Notification may be made by telephone, in writing, or verbally. The market phone number is: 507-382-9337
- g) Daily and mini vendors or any other vendor whose location may be affected, will receive on Friday, a market map emailed to them for the Saturday markets from the management. A copy of the map will also be posted in the shed/trailer.
- h) Mini or Daily Vendors planning to attend or Annual Vendors intending to be absent from the market are required to notify market management no later than 9:00 A.M. Friday for Saturday markets, no later than 12:00 P.M. Monday for Tuesday markets, and no later than 12:00 P.M. on Wednesday for Thursday markets for markets that are held at other locations, notification not needed for weekday markets at Best Buy location. Notification for Saturday markets can be made by email, text or by calling the market phone: 507-382-933. Notification for Tuesday and Thursday markets should be made to a board member who will be present at said market.

Requirements for early notice of absence are suspended in the event of severe weather events such as tornado warnings, severe thunderstorms, or pouring rain. Absence requirements are also suspended for emergency absences due to illness or equipment failure.

- i) The market management has the authority to move vendors from one stall to another when conditions warrant. The market management must make every effort to keep vendors in their same order and should request the move before vendors have begun setting up. Vendors do not have exclusive rights to their stall(s).

- j) During the regular season, vendors may begin setting up one and a half hours before the market begins, but may not exchange money until the market management indicates that sales may begin with the ringing of a bell. Selling will commence at 8:00 A.M. on Saturdays and 3:00 P.M. on Tuesdays and Thursdays.
- k) Products may not be set aside for customers during the set-up period before the market begins. An exception to the set-aside rule is for sales to other vendors who may not have an opportunity to easily leave their stall to make purchases during market hours. However, vendors are allowed to have cash sales to other vendors before the bell.
- l) In the best interest of the market, vendors must be at the market no later than 15 minutes prior to the market opening, and fully set up and ready to sell by the opening bell. Vendors are expected to remain for the duration of the market, except in extenuating circumstances. If this expectation conflicts with the needs of an individual vendor on a particular day, market management must be notified in advance so that accommodations may be agreed upon. If early departure is requested and approved, the vendor may be asked to set up outside his or her normal market position.
- m) For the safety of market vendors and customers, vehicles may not be driven into or out of the designated market area during normal operating hours. Exceptions may be approved if previous arrangements have been made with market management, or in the case of extenuating circumstances.
- n) Canopies, umbrellas, and other forms of stall cover must be sufficiently and safely secured. If a stall cover is inadequately secured, market management will ask the vendor to properly secure it, or to take it down.
  - i. "Sufficiently secured" means either fastening the cover to a vehicle or attaching at least 10 pounds of weight per leg for canopies and at least 40 pounds of weight for umbrellas. In strong winds, more weight may be required to sufficiently secure stall covers.
  - ii. "Safely secured" means that the method used to secure the cover will not create its own safety hazard. Canopy weights:
    - 1. Should be tethered with lines that are clearly visible.
    - 2. Should be securely attached to the canopy.
    - 3. Should not present a tripping hazard.
    - 4. Should not be placed above the head of any customer, including children.
- o. Vendors intending to sample food items, must complete the 'Sampling' form for MN Farmers Markets and turn into the management at least 2 weeks prior so the forms can be reviewed and approved. Two vendors can share a hand washing set-up if their stalls are adjoining.

### **3. Limitations of Stall Usage**

- a) Members may not sell, subject, or assign stall space, or any privileges pertaining thereto.

- b) There will be a limitation of two stalls per member. Additional stalls may be utilized with a daily fee assessed, providing space is available.
- c) Half stalls are allowed and may be purchased for \$200 per season.
- d) Stall dimensions must be observed. Annual and daily is 20'x20'. Mini is 10'x10'. Half is 10'x20'
- e) Selling and sampling may only be done within a vendor's stall(s).
- f) Product hawking is not allowed.
- g) Vendor products, site displays, signage, stall covers, or other vendor merchandise or property may not infringe upon market walkways or neighboring stalls.
- h) Parking vehicles other than those necessary for loading and unloading product will not be allowed. All vendor vehicles not necessary for this purpose must park outside the normal customer parking area.

#### **4. Other Regulations**

- a) Vendors must clean their stalls after each use. Stalls are subject to inspection by market management.
- b) Vendors must display a sign of at least 10" x 20". Signs must list the vendor's business name, location (city and state), and have any appropriate stickers attached.
- c) Business, product, or sale signs cannot be an obstruction to normal market operations and must be properly weighted or attached so they do not pose a hazard.
- d) Minnesota State Law prohibits pets from being led on leash or carried in the designated market area.
- e) Roller sport equipment (roller blades, skateboards, etc.) are prohibited in the designated market area. Bicycles must be walked in the designated market area.
- f) Alcoholic beverages are not allowed at the market. Smoking is not allowed in the designated market area to include: pipes, cigarettes, vapor or e-cigs.
- g) Non-profit groups participating in the market will not be required to purchase a membership.
- h) The Mankato Farmers' Market logo is available for use by members with the permission of the board. Permission should be requested in writing for each specific usage with a sample use being submitted. The member will pay for any cost of reproduction of the logo.
- i) Vendors advertising their produce as "organic" must submit a copy of their organic certification to the market board due by April 15th.

## **5. Inclement Weather/Cancellation Policy**

- a) The Mankato Farmers' Market will be open each designated market date, rain or shine. However, it is also the responsibility of MAGA to ensure a safe and orderly market environment; therefore, market management has the authority to cancel the market or open late due to severe weather conditions, or other conditions that threaten public safety.
- b) Market management will base its decision on weather reports, on-site market conditions, and other available information. If the market is canceled due to severe weather, vendors will be notified in a timely manner.
- c) All vendors are expected to comply with market management's decisions and will not be allowed to set up or remain set up if the market is canceled.
- d) Vendors may set up late or take down early if they determine that weather conditions are a threat to their business. In such cases, vendors are still expected to be on time and remain at the market unless and until they can safely exit with market management approval.

## **6. Complaint System**

- f) Any vendor may file a written complaint for violations of the Code of Conduct, MAGA by-laws, or MAGA rules and regulations. Anonymous complaints will not be considered.
- g) Market management will review all complaints, and written responses will be given to the vendor filing the complaint and the vendor or vendors cited in the complaint. All parties are expected to immediately comply with market management's response.
- h) All complaints will be kept on file with the MAGA secretary. Complaints found to be without merit will also be kept on file with the MAGA secretary.
- i) Vendors filing three or more complaints without merit may face penalties, subject to market management's discretion.
- j) Noncompliance with market management's resolution will be considered a violation of MAGA rules and regulations.

## **7. Violations Procedure**

- a) When the board determines that a vendor has violated any provision of the Code of Conduct, MAGA by-laws, or MAGA rules and regulations, the vendor will be notified in writing of the violation and the response that is expected of them.

- b) Any repeat violations will be considered noncompliance. At market management's discretion, noncompliance may result in membership cancellation and all selling privileges being revoked for the remainder of the market season. Membership and stall fees paid will be forfeited.
- c) The board of directors may vote to permanently expel any member for cause. Annual dues and fees are not refunded when a member is expelled.
- d) Upon submission of a new member application during the regular application period, the MAGA board of directors may reinstate a terminated member under terms and conditions set by the board of directors.