

# Penticton Farmers' Market Society Policies, Rules and Regulations

(Updated at an Extraordinary Meeting dated January 25, 2011)

## Section 1 - Membership Eligibility, Fees, and Stall Space

### 1.1.

- a. Membership in the Society will be available to those over the age of 18 years residing in and between the areas of Osoyoos to Peachland and in between the areas of Cawston to Hedley.
- b. Membership in the Society will not be available to those conducting a store front operation, exclusive of farm gate or home based sales
- c. The total number of members shall not exceed the number of vendor stalls.

### 1.2.

- a. Membership in good standing requires that the membership fee of Seventy-Five Dollars (\$75.00) is paid on or before the Annual General Meeting.
- b. Only members in good standing are allowed to vote at the Annual General Meeting.
- c. Only members who have paid the annual table fee are eligible to have a stall reserved at the Market.
- d. An Annual Table Fee will be set by the Board of Directors with regard to the proposed budget.
- e. Reservation of a stall at the Market requires that the Annual Table Fee be paid in full at least thirty (30) days prior to the first day of the Market.

### 1.3.

- a. All directors will be given their annual membership as an honorarium during the year of service.

### 1.4.

- a. Community members may nominate themselves for Board positions by submitting a brief description of their skills/talents.
- b. If such a community member is elected to the Board of Directors, he or she may be granted an honorary membership.
- c. Board positions open to community members are restricted to two (2) positions.

### 1.5.

- a. Designated unit space per vendor will be the distance between each parking meter and designated parking space. Distance from the curb to the front of Vendor display shall not exceed 17 feet or 5.18 meters.
- b. Vacant stalls will be advertised and reassigned to members requesting a move, on the basis of seniority, that is the number of years at the Market except when the Board of Directors deems such move not in the best interests of the Market
- c. Starting with the 2011 season, double stalls will be discontinued. Existing members with double stalls will be allowed to keep such stalls for as long as they are members in good standing.

## Section 2 - Dates and Hours of the Market

### 2.1.

- a. Hours of operation of the market will be set by the Board of Directors keeping in mind the terms of the contract with the City of Penticton.
- b. Members may set up their stalls commencing two (2) hours before the start of the Market and must remove their stalls within one half (1/2) hour of the close of the Market.
- c. Vendors may not drive into the Market after 8:00 a.m. Vendors must be at the Market one half (1/2) hour prior to the start of the Market to ensure that their stall is not allocated to another vendor on that day, unless prior arrangements have been made with the Market Manager.
- d. There shall be no selling of products before the opening of the Market.
- e. The opening of the Market shall be signified in a manner to be described to the members by the Market Manager.

### 2.2.

- a. The dates of the Markets in the forthcoming year will be set by the members at the Annual General Meeting.

## Section 3 - Eligible Products

### 3.1.

- a. All products sold at the Market must be produced in the areas in which membership is allowed. Under special circumstances, products from outside these areas may be allowed at the discretion of the Board of Directors.
- b. All products shall be sold by a primary producer of that product, that is, someone who is responsible for and took an active part in producing that product.
- c. Vendors must grow, make or otherwise produce all items sold at their stall.
- d. Vendors may not buy goods from another producer to be sold at the market.
- e. Vendors selling primarily craft items or prepared food shall be restricted to twelve (12) Vendors or Twenty (20) percent of the members in good standing, whichever is the lesser.
- f. Vendors who wish to advertise "Organic" products must be certified by an organization which meets the standards of the Canadian Organic Standards. All others must refrain from using the word "Organic" to describe their product.
- g. As we are a self-regulatory body, Vendor's farms and/or production facilities are to be made available for inspection by the Board of Directors or an approved committee upon request.
- h. Vendors who rent or lease land for the production of fruit and/or vegetables to sell at the Market must supplement their annual application with a written rental or lease agreement documenting acreage and fruits and/or vegetables grown.
- i. Farmers wishing to sell prepared food and/or crafts must have a minimum of eighty (80%) per cent raw farm product for sale in order to qualify for farm designated membership. Exceptions will be made when value added food products (for example: dried fruits, juice, jam, pickles) are made from fruits and/or vegetables grown by the Vendor.

### 3.2.

- a. Vendors are responsible for ensuring that they abide by the Rules and Regulations of Federal and Provincial Governments.
- b. These include but are not restricted to licenses, taxes, health and safety regulations, weights and measures.
- c. The products that may be sold at the Market include, but are not restricted to, fruits, vegetables, plants, flowers, eggs, honey, jam, preserves, pickles, and baked goods.
- d. The sale of dairy products, meat, fish, poultry or any products containing these ingredients is allowed, providing the vendor meets all Federal and Provincial and Municipal regulatory requirements, and carries \$2,000,000 liability insurance.
- e. The products which may not be sold include but are not restricted to: used or second hand items, including antiques.

- f. The suitability of any product offered for sale is at the discretion of the Board of Directors.
- g. All food items sold at the Market must be prepared in accordance with Federal and Provincial regulations and follow the guidelines of a recognized food safety course.
- h. Vendors selling any prepared food products must supply approved paper work from the Interior Health Authority to the Market Manager before selling prepared food at the Market.

### **3.3.**

- a. It is mandatory for all Vendors, both members and casuals, who sell any value-added food products to be certified under the BC Foodsafe and/or Marketsafe program prior to attending the Penticton Farmers' Market. That is:
  - Any goods requiring handling for processing, canning, or bottling; and
  - Any goods that are processed, prepared, changed, or altered.

## **Section 4 - Selling by Casual Vendors**

### **4.1.**

- a. Casual Vendors, that is, Vendors who are not members, may be allowed by the Board of Directors to sell at the Market.
- b. Casual Vendors will normally have unique products or products in short supply at the Market.
- c. Casual Vendors must pay a daily fee to the Market Manager. The daily fee is set by the Board of Directors.
- d. Casual Vendors must register with the Market Manager at least one (1) week in advance of the Market day requested.
- e. Casual Vendors must arrive at the Market at least forty-five (45) minutes before the sales begin, pay the Daily Fee and assigned a stall space by the Market Manager.
- f. Casual Vendors must adhere to all Rules and Regulations of the Market.

## **Section 5 - Pricing Policy**

### **5.1.**

- a. This policy is intended to ensure that products sold at the Market are priced fairly for both producers and buyers.
- b. Prices should reflect the cost of goods, including labour, and marketing expenses.
- c. Prices of items for sale must be clearly marked by one or more of the following methods:
  - Individual price stickers on each item; or
  - Individual price signs for each type of item; or
  - List of prices on a large sign.

## **Section 6 - General Conducts**

### **6.1. Vendor Conduct**

- a. No dogs or other animals in the care of Vendors are allowed at the Market.
- b. Vendors driving on the park grass to get to their stall are prohibited.
- c. Vendors must supply their own tables; use of park tables is not allowed.
- d. Vendors are required to stay in their allocated space while vending and may not extend displays or equipment, sampling or distribute literature or samples outside allocated stall area. Street space between stalls facing one another has been established to permit emergency vehicle access.

### **6.2. Vendor and Market Responsibility**

- a. The Market is not responsible for lost, stolen, or damaged articles.
- b. Vendors are responsible for keeping their space clean and tidy; this includes picking up and removing all litter at the end of the market session.

- c. Compost and garbage may not be deposited in the City of Penticton receptacles and all compost and garbage must be removed at the end of the Market day.

## **Section 7 – Procedures**

### **7.1. Procedures**

- a. These Policies, Rules and Regulations may be altered, amended, or revised by the members in good standing at a General Meeting by an ordinary resolution.

### **7.2. Order of Authority**

- a. In the event that these Policies, Rules and Regulations conflict with the Society Act, the Society Act shall prevail.
- b. In the event that these Policies, Rules and Regulations conflict with the Bylaws of the Penticton Farmers' Market Society, the Bylaws shall prevail.
- c. In the event that these Policies, Rules and Regulations conflict with the Rules of Order adopted for the conduct of a meeting, these Policies, Rules and Regulations shall prevail.

### **7.3. Board of Directors**

- a. The Board of Directors shall consist of not less than five (5) persons, and not more than nine (9) persons including the executive members.
- b. The representation of membership on the Board of Directors shall be limited to one (1) person per membership.

### **7.4. Contravention of Rules**

- a. Members who contravene these Policies, Rules and Regulations will be considered in misconduct. The first misconduct will receive an oral warning from the Market Manager. The second misconduct will result in a written warning from the Board of Directors. A third misconduct will result in a one week suspension. Finally, a fourth misconduct will result in a suspension for the duration of the season and a review of membership status.

## **Section 8 - Use of Stall Space by Other Non-profit Societies**

### **8.1.**

- a. Spaces at the Market may be allotted to other non-profit societies and community organizations whose goals and objectives are consistent with those of the Penticton Farmers' Market Society, at the discretion of the Market Manager and the Board of Directors.

### **8.2.**

- a. Non-profit societies who wish to present themselves and provide information only may attend the Market free of charge.
- b. The number of times such a non-profit society may attend Market will be regulated by the Market Manager, based on demand for available non-profit spaces.
- c. Such non-profit societies will be asked to reciprocate by listing the Penticton Farmers' Market Society as a sponsor, or include the Penticton Farmers' Market Society in their advertising.
- d. Failure to attend on a booked date may result in a charge of the current Casual Rate, and may affect future bookings by the non-profit society applying to attend.

### **8.3.**

- a. Non-profit societies who wish to attend the Market not only to present themselves, but also to sell items such as memberships, raffle tickets, and products related to their cause may attend the Market for one (1) week without charge.
  - b. Groups will not be allowed to sell items that compete with Vendors at the Market. Sales are limited to items that relate directly to the group's cause.
  - c. Such non-profit societies will be asked to reciprocate by including the Penticton Farmers' Market Society in their advertising whenever possible.
  - d. Failure to attend on a booked date may result in a charge of the current Casual rate, and may affect future bookings by the non-profit society applying to attend.
  - e. Following the one (1) free week, such non-profit societies may be allowed to continue to book space at the Market at the current Casual rate, at the discretion of the Market Manager.
  - f. The Farmers' Market Society may consider sponsorship of the non-profit society or its event in lieu of fees.
- 8.4.** The number of free stall spaces at the Market will be limited to three (3) a week.
- 8.5.** The Board of Directors and/or the Manager reserves the right to limit the number of times a non-profit society may attend the Market.
- 8.6.** The Market will not accept applications from persons wishing to collect individual sponsorships or solicit donations for their own personal cause.