

## Penticton Farmers' Market Society (#S-27913) Policies, Rules and Regulations

Last updated: PFM board meeting on April 20, 2017

### 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 is limited to a maximum of 15 acres of production. Production to be defined as owned or leased land producing sale-able product. Land for free-range livestock may be exempt.
c.	Membership in the society will not be available to those conducting a storefront operation, exclusive of farm gate or home based sales.
d.	Vendors must attend at least one market year as a "casual" vendor before applying for membership.
e.	All casual and membership applications or status changes must be approved by the board of directors.
f.	The total number of members shall not exceed the number of vendor stalls.
g.	Membership is non-transferable.

#### 1.2

a.	Membership in good standing requires that the membership fee of \$100.00 is paid on or before the annual general meeting (AGM).
b.	Only members in good standing are allowed to vote at the AGM.
c.	Only members who have paid the annual table fee are eligible to have a stall reserved at the market.
d.	The 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 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.
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#### 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 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 the vendor display shall not exceed 5.18 metres (17 feet).
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 interest 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.
d.	Stalls shall not be lent, rent or consigned by vendors to third parties.

### Section 2 – Dates and hours of market operation

#### 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 am. 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 or 15 minutes after the closing of the market.
e.	The opening and closing of the market shall be signified in a manner to be described to the members by the market manager.
f.	Packing up of stalls must begin when closing is signified.

## 2.2

a.	The dates of the markets in the forthcoming year will be set by the members at the AGM.
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## 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 12 vendors or 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 that meets the standards of the <i>Canadian Organic Standards</i> . 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 actively farm rented or leased 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 vegetable 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 vegetable grown by the vendor.
j.	Vendors selling their product as NON-GMO must have third party verification.
k.	All alcoholic beverages shall be sold by the owner or maker of that product, that is, someone who is responsible for and took an active part in producing that product.

### 3.2

a.	Vendors are responsible for ensuring that they abide by the Rules and Regulations of the Federal, Provincial and Municipal governments.
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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, 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.	<p>It is mandatory for all vendors, both members and casuals, who sell any value-added food products to be certified under the BC Food Safe and/or Market Safe program prior to attending the Penticton Farmers Market. That is:</p> <ul style="list-style-type: none"> <li>• Any good requiring handling for processing, canning or bottling; and</li> <li>• Any goods that are processed, prepared, changed or altered.</li> </ul>
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## 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 sales begin. The market manager will assign them a stall and the daily fee must be paid at this time.

f.	Casual vendors must adhere to all the policies, rules and regulations of the market.
g.	Casual farm vendors are limited to a maximum of 15 acres of production. Production to be defined as...(see 1.1.b)
h.	Casual vendors may not conduct a storefront operation, exclusive of farm gate or home-based sales.

## 4.2

a.	Liquor vendors will be accepted at the discretion of the board of directors and are not eligible for membership.
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## Section 5 – Pricing Policy

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: <ul style="list-style-type: none"> <li>• Individuals price stickers on each item; or</li> <li>• Individual prices signs for each type of item; or</li> <li>• List of prices on a large sign.</li> </ul>

## 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.
d.	Stalls are to remain assembled with a minimum of a table, tent and "sold out" sign until the official closing time, regardless of weather or turn out.
e.	Vehicles may not be moved until the official closing time.

## 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.
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### 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 City of Penticton, 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 a verbal 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.
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## Section 8 – Use of Stall Space by Other Non-profit Societies

### 8.1

a.	Space 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.
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### 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 the market will be regulated by the market manager, based on demand for available non-profits.
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 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 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 Penticton Farmers' Market Society may consider sponsorship of the non-profit society or its event in lieu of fees.

### 8.4

a.	The number of free stall spaces at the market will be limited to three per week.
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8.5

a.	The board of directors and/or the market manager reserves the right to limit the number of times a non-profit society may attend the market.
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8.6

a.	The market will not accept applications from persons wishing to collect individual sponsorships or solicit donations for their own personal cause.
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