



Oneonta Farmers Market Rules and Regulations

Mission Statement: The mission of the Oneonta Farmers Market is to provide a place for community members and visitors alike to connect with local producers and artisans, to promote agriculture and education.

General Operations

The Oneonta Farmers' Market, going forth referred to as "Market"

Location, Date & Time:

- Outdoor Market - 53-55 Market Street Oneonta, Saturdays May through October - rain or shine. Market operation times are 9 am to 12 pm ET.
- Holiday Market – Foothills Performing Art Center, Oneonta, all Saturdays in November and December. Market operation times are 9 am to 12 pm ET.
- Winter Market - Foothills Performing Art Center, Oneonta, all Saturdays in January through April. Market operation times are 9 am to 12 pm ET.
- Conditions for cancellation examples: the forecasted high is not greater than 0 Fahrenheit, local, county or state declared state of emergency
- Should dangerous and/or inclement weather force market cancellation, it will be posted on the Oneonta Farmers Market Facebook page.

Market Fees:

- All Vendors will pay a \$30 administration fee for the season, prior to the start of the outdoor season.
- Stall fees for the Saturday markets are \$25 for a full-canopy space, discounted to \$20 if paid in advance of season. Multiple stall spaces are charged based on number additional spaces.
- No outdoor market canopy space shall be charged less than a full stall space
- New vendors must commit to completing the May-October outdoor season and must pay full seasonal fee before the first outdoor market.
- Vendors more than 3 weeks in arrears shall be prohibited from market attendance until account is brought current. Exceptions may be made on a case-by-case basis, if requested by vendor.

Market Vendor:

- All vendors must attend 80% of Saturday markets for the outdoor May – October market season. Exceptions may be made on a case-by-case basis.
- A full outdoor season is defined as a vendor who has attended at least 80% of outdoor markets in the previous season.



- Good standing is defined as free of violations, sanctions or other disciplinary action within the previous calendar, has current and prescribed liability insurance, in compliance with all state, local and federal statutes for production/licensing and be current on all market fees.
- To cast votes for any market query – such as annual meeting, new vendor applications, appeals, etc. - vendors must be in good standing and have completed one full outdoor season.
- Membership in the market is limited to vendors within fifty miles of Oneonta and within New York State.

Market Application:

- Current vendors must submit applications for the current year by application deadline
- Applications from current vendors received after application deadline will be considered new applications.
- If current vendors wish to bring in new products, these must be highlighted by a star (*) on the product list of their application and voted upon by eligible voting vendors.
- Current vendors in good standing are automatically accepted to the market. New products from current vendors are subject to approval.
- Reapplication process for vendors who leave for a season will be determined on an individual basis.

Market governance and grievance:

- The Oneonta Farmers Market is a project of the Oneonta Agricultural Group, Inc. (OAG) which serves as the governing authority. The OAG will appoint Board members who are voting members of the Oneonta Farmers market to serve as the market executive committee.
- Should a vendor disagree with a decision for which they wish to file a grievance, the procedure is to submit in writing to the executive committee of the farmers market the nature of their issue, complete with dates, times, persons involved, background information, etc as necessary in order to provide an accurate picture of said issue. The executive committee within 14 days will then respond to the vendor. Depending on the issue, it will either be resolved by the executive committee or elevated to the Board of Directors. If the vendor, is dissatisfied with the outcome they then should submit their original grievance along with any additional pertinent information to the Oneonta Agricultural Group, Inc. Board of Directors for review. The Board of Directors will then select a person to serve as contact for the vendor and respond within 14 days.

Vendor Inspections:

- The Market executive committee or market vendor representative chosen by the executive committee have the right to inspect the member(s) operation(s) to verify production.
- All new vendors must be inspected by at least 2 members of the Market executive committee or market vendor representative.
- Inspections of current vendors will occur as a condition of acceptance to the market and once three years later. Inspections may also be conducted on an as-needed basis if a grievance is filed. Vendors' facilities may also be inspected when they introduce a new product for sale.



Measurements:

- Any vendor selling items by weights that are not indicated on packaging must supply scales approved and calibrated by Otsego County Department of Weights and Measures.
- Permits must be renewed as prescribed by inspection stamp.
- Any vendor found giving incorrect weights to the public be subject to sanctions.

Insurance, Taxes & Licenses:

- All vendors are required to submit a Certificate of Insurance for at least \$500,000 for general liability insurance (premises and product) naming Oneonta Agricultural Group, Inc. as additional insured.
- All products that vendors offer for sale must meet all local, state and federal requirements and licensures for production and processing for products, non-compliant products will be prohibited for sale by the executive committee. Some examples of are: NYS sales tax, organic certificate, nursery permit, aquaculture permits, commercial kitchen license, home processor license, farm winery license, milk & dairy license, 5A slaughterhouse license
- Vendors must include copies of all certifications/licenses with market application

Eligibility of Products and Standards for Participants:

Fruit and Vegetable Vendors:

- Fruit and vegetable vendors must produce, grow, process and/or make at least 80% of the items they offer for sale at each market. Furthermore, items must be grown in New York State and within a 50 mile radius of Oneonta. The 80% designation is by volume at each market. The 20% not produced by the member must be agricultural products cultivated in New York State.
- Exception: vendors may broker pit fruit which may be grown in a state that touches New York.
- Any brokered item for sale must be listed on a brokered product sheet, including origin of item, and posted at the vendor's booth clearly visible to customers.
- In the event of a grievance regarding 80-20 brokering rule, Market executive committee will have the right to conduct a detailed inventory inspection on-site.

Agricultural Producer Vendors:

- Livestock products sold must be owned and under supervision of the producer. For those animals not born on the vendor's farm the following ownership requirements apply to products:
 - Eggs must be from layers under their ownership, no time ownership requirement
 - Livestock including but not limited to pigs, goats, sheep, cattle, venison, meat poultry and rabbit, shall be under the ownership of the producer for one half of the species life cycle prior to processing.
 - Livestock product brokering is permitted and must be listed on brokered product list

Craft Vendors:

- No brokering of craft products; crafts must be vendor made - not including materials



All Vendors:

- Vendors must post prices at the beginning of the market, after which discounted selling is not permitted, however vendors may give away items if they so choose.
- Vendors MAY NOT accept WIC coupons or Office of the Aging coupons unless they have submitted the necessary paperwork to New York State Ag and Markets.
- For situations not delineated on this list, the executive committee and Board of Directors will use his/her best judgment and will make decisions for the best interest of the market and which comply to the rules and regulations of the Market.

Vendor Conduct:

- Vendors must be sure to clean up all debris left at their canopy space,
- Vendors must be sober, courteous and industrious,
- Vendors must maintain a professional, orderly atmosphere,
- Vendors may not play music or use PA systems from their stall,
- Hawking of customers is not permitted,
- Vendors may not smoke cigarettes, cigars, pipes or electronic devices in the plaza area,
- Vendors must maintain high standards of their products, table displays and sales behavior,
- Vendor/Customer interactions shall be conducted in a manner and at a volume as to not interfere with other vendors or market patrons

Vendor Parking, Loading & Unloading:

- For outdoor markets, vendor arrival time is between 7:30 am and 8:30 am
- Vehicles may be driven on the market area only to load and unload, and prohibited to be left in the market area during set up or take down.
- Vendors who arrive late must load from the street as parking is available.
- Vendors will stay at the market while it is open and begin disassembling their canopies at 1 pm.

Vendor Stalls:

- Vendors are responsible for securing their own canopies on the plaza.
- Vendors pay for a designated stall. Overflow is a privilege, not a right.
- Vendors must be set up and ready to sell by 9 am on market days.
- All vendors must provide a canopy for their stall space, clearly identify business name, no larger than 3'x 6'

Vendor Attendance:

- Vendors must in good faith attend the markets they are scheduled for—even on days with poor weather. Advertised markets are held rain or shine. Vendors who do not attend the market for which they are scheduled will be charged for the time they missed.



- Scheduled markets for which a vendor will be absent, the vendor is responsible for contacting a member of the executive committee prior to start of market, in advance as soon as possible.
- Absences negatively affect the market and may result in loss of selling space

Right of Refusal:

- Vendors previously participating in the farmers' market, in good-standing with the market, will maintain their stall space, if stalls become available, they be given first priority based on seniority.
- New vendors may be given part-time spots or placed on a waiting list.
- Vendors who leave for a season lose their previously assigned stall.

Sanctions:

- Vendors who violate the rules as a first infraction may receive a written warning from executive committee
- Second infractions may result in a two-week suspension and/or \$30 fine and OAG Board is notified
- Third infractions may result in suspension or termination from Market as determined by the Market executive committee and the OAG Board of Directors.
- The committee and Board of Directors may decide to warn, remove or suspend a vendor immediately depending upon the seriousness of a complaint or infraction.
- Decisions regarding the removal of a vendor may be contested by any current voting vendor in writing to the executive committee for review by the Board of Directors
- The re-application of a vendor that has been removed from the market will not be considered unless a majority of current vendors vote that they may re-apply and approved by the Board of Directors
- If a vendor is removed from the market in accordance with Oneonta Farmers' Market current Rules and Regulations, any pre-paid fees will be forfeit.

Contacts:

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Heather Pikul, Vice President
Tanya Moyer, Treasurer
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