



Oneonta Farmers Market Rules and Regulations

General Note:

The Oneonta Farmers Market, going forth referred to as “Market”

The Oneonta Agricultural Group, Inc. going forth referred to as “OAG”

The Oneonta Agricultural Group, Inc. Board of Directors, going forth referred to as “Board”

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.

Equal Opportunity:

The Market provides equal opportunity to all approved vendors and prohibits discrimination and harassment of any kind. The Board and Market is committed to the principle of this opportunity providing our community, vendors, and Board with a Market environment free of discrimination and harassment before, during or after the Market. Any language or behavior that is threatening, abusive, or creates a hostile environment to other vendors, the general public, the Board or their designee shall constitute a violation of Market rules.

All decisions are based on Market business needs, rules and regulations, vendor requirements and qualifications, without regard to race, color, religion or belief, political affiliation, national, social or ethnic origin, sexual orientation, gender identity, military or veteran status, familial status, or any other basis protected by applicable law.

Location, Date & Time:

- Outdoor Market – Dietz Street, Oneonta - Saturdays May through October - rain or shine. Market operation times are 9 am to 12 pm ET.
- Winter Market - Foothills Performing Art Center, Oneonta, Saturdays in November 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 the number of additional spaces but not less than one full stall price.
- 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 the vendor.

Market Application:

- Current vendors must submit applications for the current year by application deadline
- Applications from current vendors received after the application deadline may be considered new

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applications.

- If current vendors wish to bring in new products, these must be highlighted by a star (*) on the product list of their application.
- Applications are reviewed and approved by the Board for suitability and acceptance. New products from current vendors are subject to approval.
- The reapplication process for vendors who leave for a season will be determined on an individual basis.

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. and the City of Oneonta 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. 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 remit copies of all certifications/licenses/insurance certificates before vending.

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 within a 50-mile radius of Oneonta. The 80% designation is by volume at each market.
- Exception: vendors may broker pit fruit which may be grown in a state that touches New York.
- Product brokering is permitted and must be listed on the brokered product list and signage

Livestock Producer Vendors:

- Livestock products sold must be under the management of the producer for at least 80% (by volume) of the items they offer for sale at each market. For those animals not born on the vendor's farm, the following management requirements apply:
 - Eggs must be from layers under their management,
 - Livestock including but not limited to pigs, goats, sheep, cattle, venison, meat poultry and rabbit, shall be under the management of the producer for a third of their life cycle
 - Product brokering is permitted and must be listed on the brokered product list and signage.

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.
- Vendor inspections may be conducted on an as-needed basis
- Vendors may not accept WIC coupons or Office of the Aging coupons unless they have submitted the necessary paperwork to New York State Agriculture and Markets.
- Any vendor selling items by weights that are not indicated on packaging must supply scales approved and calibrated by County Department of Weights and Measures. Permits must be renewed as prescribed by the Weights & Measures inspection stamp. Any vendor found giving

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incorrect weights to the public be subject to sanctions.

- For situations not delineated in these rules, the Board or their designee, will use their best judgment and will make decisions in the best interest of the market.
- The Market, OAG, Board, or designee is not responsible for any loss/damage incurred by vendors.

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 market 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 in the market area only to load and unload. Vehicles are prohibited being 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 12 pm.

Vendor Stalls:

- Vendors are responsible for securing their own canopies in the market area.
- 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, clearly identify business name, no larger than 3'x 6'
- Vendors previously participating in the Market and in good-standing, will maintain their stall space, requests for different spaces are made on a case by case basis.
- 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.

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, unless otherwise communicated. Vendors who do not attend the market for which they are scheduled will be charged their regular stall fee.
- Scheduled markets for which a vendor will be absent, the vendor is responsible for contacting a member of the Board prior to start of Market, in advance as soon as possible.
- Absences negatively affect the market and may result in loss of stall space.

Market governance and grievance:

- The Oneonta Farmers Market is a project of the Oneonta Agricultural Group, Inc. (OAG) which serves as the Market governing authority. The OAG elects Board members in accordance with their organizational by-laws. The Board reserves the right to appoint a designee to implement Market

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rules, regulations, day-to-day operations, and activities.

- Should a vendor wish to file a grievance, the procedure is to submit in writing to the Board 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. Any grievance submitted shall be treated as a confidential matter by the board and the vendor submitting the grievance. Within 14 days, the Board will respond to the vendor. If the vendor is dissatisfied with the outcome, they then should submit their original grievance along with any additional pertinent information to the Board for further review. After additional review, the Board will then issue a final response to the grievance.

Sanctions & Violations:

A vendor may be removed or suspended from the Market or have selling privileges at the Market conditioned, modified, limited or terminated at any time. Vendors who are in violation of any federal, state, local or Market Rules and Regulations will be subject to the following:

- The first infraction may receive a written warning from the Board or their designee.
- The second infraction may result in a two-week suspension and/or \$30 fine.
- A third infraction may result in suspension or termination from the Market as determined by the Board.
- The Board or their designee may decide to warn, remove or suspend a vendor immediately depending upon the severity of a complaint or infraction if necessary to preserve the Market's reputation, consumer health, safety or welfare of customers, other Market vendors, staff, or the general public.
- The Board may also refer the matter to a governmental agency with jurisdiction over the subject at issue.
- A vendor whose permission to sell has been suspended, or a vendor or applicant aggrieved by a decision of the Board, may file a written request with the Market requesting reconsideration. The vendor requesting reconsideration shall file the written request within the (10) days of the adoption of Board's determination. If the vendor does not file a timely request, the Board shall not take any action pursuant to this action, pursuant to this section and the decision shall be considered final. If a timely request for consideration has been filed, at the next available meeting (meeting may be in the form of a conference call) the Board shall consider the request for reconsideration and shall receive any oral or written testimony. The Board's decision shall be final.
- If a vendor is removed from the market in accordance with Market current Rules and Regulations, any pre-paid fees will be forfeited.

Contacts:

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Margaret Kennedy, President

Tanya Moyer, Treasurer

Maria Lopez, Secretary

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