

DEPARTMENT	NAME OF PROCEDURE Pelham Farmers' Market Policy
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**Please note: For safety reasons NO vehicles shall enter the Pelham Farmers' Market after 4:00 p.m. or leave prior to 8:30 p.m.
All Vendors must participate in the Market Buck Program on a weekly basis.**

Approval Date: March 2003
Amended: January 2017

Effective Date: Immediate

POLICY STATEMENT:

To provide a Farmers Market within the Town of Pelham to benefit surrounding Ontario farm producers, businesses and consumers.

DEFINITIONS:

- 1.01 Committee: Pelham Farmers Market Committee
herein after known as the Committee
- 1.02 Town: Municipality of the Town of Pelham
herein after known as the Town of Pelham
- 1.03 Farmer's Market: The Pelham Farmers Market is a true farmers market. This means
51% of all vendors must be growers/producers.

PURPOSE:

The Pelham Farmers Market is operated in partnership between the Town of Pelham and the Committee for the benefit of Ontario farm producers, businesses, and consumers. All rights are reserved by the Committee as to the operation of the Market. A vendor's breach of the Farmers Market Policies and Procedures shall constitute a breach of its application approval and license to utilize stall space/location.

GENERAL:

Eligibility:

Farm Grower/Producer

- a) Preference will be given to vendors who are primary growers/producers of the products they are selling, except as noted in paragraph (b). Preference will be given to growers/producers in (1) Pelham (2) Niagara Region (3) Ontario. Farm produce vendors may sell products grown by others in Ontario, but these outside products may not constitute greater than 50% of products they have for sale to the public.
- b) No products allowed for sale that are "seconds".

- c) No distress selling, ie: in the last hour of operation, ½ off sale

Craft Vendors

- a) Crafters must produce 100% of the goods they are selling themselves. Resale of goods handmade by others is *not* permitted. Crafters will be allowed to enter the market, comprising of a maximum of 20%, at the discretion of the Committee.

Nonprofit Groups

- a) There shall be a MAXIMUM of two (2) charitable or nonprofit groups permitted to operate per week on an advance booking basis, at no cost. The group must provide particulars of the purpose of the organization and/or fundraising for the approval at the sole discretion of the Committee. Groups or individuals requested to participate by the Market organizers are not limited by the above. Products sold are not to be the same as Vendor products.
- b) Nonprofit groups will be limited to 1 (one) time per month. Empty spaces will be distributed at the discretion of the Committee. Nonprofit booths are offered on an as available basis, no guarantee of booth space.

Other Situations

- a) Preference will be given to all returning vendors pending acceptable Farmers Market ratio & balance.
- b) Other situations, not conforming to the above criteria will receive individual consideration by the Committee or jury of same consisting of the chair of the Committee and the Market Clerk.

Fees

- a) The fee structure per stall is set each year (see vendor application). Rental periods are weekly or a full session. Weekly vendors will pay the Market Clerk their vendor fee each week to a maximum of the seasonal rate.
- b) Full payment is due upon approval to the market, e transfer and cheque payment options will be sent with the application approval. Applications will be available in February and the due date of the application is March 12th.

Stall Location

- a) **Stall location will be dependent upon the size of vehicle used by the vendor. Maximum length of stall 25 feet, and maximum stall width of 10 feet. Vendor's vehicle and shelter must stay within allocated stall. The Committee reserves the right to allocate spaces or rearrange stall location at its sole discretion.**
- b) All vendor applications must be received by the Committee and location of stall approved before arriving at the Market. All vendors are to provide license number of vehicles/trailers on application and on request.

- c) Location of stall space will be assigned by the Market Clerk. In order that the Committee shall ensure appropriate location mix and traffic flow in keeping with the Pelham Farmers Market theme.
- d) Due to the COVID-19 pandemic and public health guidelines stall locations and layout will be modified to be in compliance.

Vendor Responsibilities

- a) To be considered a seasonal vendor at the Pelham Farmers Market, vendors must be present at least fifteen times during the season. Noncompliance results in loss of seasonal status.
- b) All vendors shall abide by all applicable Local, Provincial and Federal By-laws, Statutes and Regulations. The appropriate authorities will make periodic inspection of the market.
- c) When in season, it is recommended that Ontario fruit and vegetables be sold. ***All produce must be labeled and packaged according to Ontario Regulations.***
- d) All vendors agree to operate their stalls between the hours of 4:30 p.m. and 8:30 p.m. each market day, unless otherwise announced by the Committee. Vendors must gauge the completion of their takedown activities to correspond with a time not to exceed thirty (30) minutes after the end of the market day. No vehicles shall enter the Market after 4:00 p.m. or leave prior to 8:30 p.m.
- e) No modification or additional structure may be made, other than a portable selling space or sunshade, to the inside or outside of any stall space.
- f) All vendors are required to clean-up their stall before leaving, or pay a clean-up fee to the Committee. If a stall has to be cleaned by the Market Clerk, a \$100.00 fee must be paid prior to the next market day.
- g) All vendors must have a sign stating their name and address, prominently displayed, on the front of their stall. The sign must be of reasonable size, and of a permanent nature.
- h) Vendors will be notified by the appropriate market representative of any rule violation(s). Three (3) notices of the same violation shall mean a loss of stall space, deposit and rental payments. The Committee has the right to cancel the application and approval of stall space/location at any time at the sole discretion of the Committee, acting reasonably, on two (2) weeks notice.
- i) Vendor shall not: physically or verbally hinder any person(s); use any sound equipment; sublet his/her stall.
- j) All vendors' complaints are to be made in writing and delivered to the Town of Pelham, the Market Clerk of the committee for consideration.

- k) No stalls are to be used for the distribution of any pamphlets, brochures or other printed material other than in promotion of the activities of the vendors, Pelham Farmers Market or the Town of Pelham, without the express consent of the Committee.
- l) All Vendors must participate in the Market Buck Program on a weekly basis.
- m) Vendors are not allowed to sublet stalls. Meaning of “sublet” – to allow another vendor to use stall without permission from the Market Executive.
- n) All Farmer’s Market vendors cooking on-site with various appliances must observe requirement as per Pelham Fire Department requirements.

