

CITY OF GREEN BAY FARMERS' MARKET POLICY

"Exact dates, time and locations are listed in the Farmers' Market yearly pamphlet"

No pets are allowed on the premises
Green Bay Municipal Ordinance 25.04(8)

ELIGIBILITY

The City of Green Bay will only rent stalls to bona fide growers or producers of the products that they sell. To qualify as a producer, one must own or rent land on which your products are grown. One must plant, maintain, harvest and market the produce that they sell at the City of Green Bay Farmers' Market. Persons selling must be a family member or a paid employee. No brokers, agents or commissioned sellers may sell produce at the markets. Violation of this policy or falsifying any information given on the application form could result in suspension of your permit for up to one year or longer. Vendors will make available for inspection those lands or areas on which produce sold at the market is grown or produced.

Vendors are required to fill out an application supplied by the City of Green Bay to become eligible to sell at the market.

Produce, food and craft vendors that are not currently seasonal vendors will be placed on a waiting list if their product is approved by the market manager. As space becomes available vendors will be selected from the waiting list, depending on the items that will enhance the quality image of the Market.

Vendors selling \$1,000 in receipts for cut flowers in a calendar year are required to have a Wisconsin Tax Account Number (former Seller's Permit)

Unique produce and food vendors will have priority over non produce vendors for stall rentals.

Produce items must represent a substantial portion of the produce vendor's display.

APPROVED PRODUCTS

Homegrown vegetables, fruits, fresh and dried flowers, fresh herbs, honey, syrup, cider, dressed poultry, eggs, rabbits, bedding plants, house plants, processed foods, and wreathes like (grapevine, pine boughs, Indian corn) are allowed to be sold, Handicrafts like (needlework / darning, quilts, afghans, rag rugs, hand made stuffed animals, dried flower arrangements, and woodwork products) must be homemade by the vendor or family members. (Please refer to non approved products section)

Bona fide produce growers that have permanent stalls can sell peaches and blueberries that are not locally

| grown.

Products of questionable quality and wholesomeness may be withheld from sale at the discretion of the Farmers' Market Administrator. The Farmers Market Administrator reserves the right to deny participation in the market to vendors who wish to sell flea market-type crafts or products, as well as to vendors who do not conduct themselves in a professional, acceptable manner.

PROCESSED FOODS

Processing means the manufacture or preparation of food for sale through the process of canning, extracting, fermenting, distilling, pickling, freezing, baking, drying, smoking, grinding, cutting, mixing, coating, stuffing, packing, bottling or packaging or through any other treatment or preservation process.

The Farmers' Market Administrator must approve processed foods.

All processed foods and bakery items must be processed at a State licensed and inspected establishment.

Licensed Establishment means an establishment, inspected and licensed by the Wisconsin Department of Agriculture, Trade and Consumer Protection or an Agent municipality, where food processing is conducted.

MEATS, POULTRY, CHEESE, DRESSED RABBITS, EGGS

◆ Dressed rabbits are exempt from meat inspection and may be sold by the producer directly to the consumer.

◆ The producer may sell poultry directly to the consumer at a farmer's market. The birds are required to be individually tagged to identify the name and address of the producer. If they do not inspect them, they must prominently mark them, "NOT INSPECTED."

◆ Cheese must be packaged and labeled in a licensed establishment. Cutting and wrapping of cheese is not allowed at a farmer's market.

◆ Egg producers may sell eggs of their own production directly to consumers at a farmer's market. If packed in used cartons, all inaccurate label information such as (name and address of other processor or distributor, grade and/or size, USDA shields, etc.) will be removed. Cartons must be clean.

◆ Meats must be packaged and labeled in a State licensed and inspected establishment.

◆ Meats, poultry, cheese, dressed rabbits and eggs will be refrigerated or stored in ice always. The product will be held at or below 40°F always.

If potentially hazardous foods do not meet safe temperature requirements while stored on ice, the product will be ordered off sale.

Potentially hazardous food means any food that consists wholly or in part of milk, milk products, eggs, meat, poultry, fish, shellfish, edible crustacean or other ingredient that could support rapid and progressive growth of pathogenic, infectious or toxicogenic microorganisms.

NON APPROVED PRODUCTS

◆ Flea market items that the Farmers' Market Administrator feels is not appropriate or not of the quality that will enhance the market.

FEES

◆ Fees will be set by the City of Green Bay Protection & Welfare Committee and the City Council. The fee for the 2010 market will be \$176 per stall per week (\$8 per stall for 22 weeks). A fee of \$2 per outlet per

week will be required for vendors utilizing electricity. Vendors using one outlet but utilizing a power strip with multiple plugs will be charged a minimum of \$4 per week, or two outlets per week.

PERMITS, LICENSES AND TAXES

◆ It is the responsibility of the vendor to apply for and pay for all required licenses and fees required by the City of Green Bay, State of Wisconsin, or the Federal government. It is also the responsibility of the vendor to collect and report any required sales tax.

INSURANCE

◆ The City of Green Bay carries no insurance coverage for individual vendors and recommends that each vendor carry personal liability and product liability insurance.

RENTAL OF STALLS

◆ Stalls are approximately 9 feet wide by 20 feet deep. Vendors who require more space may rent up to three stalls if space is available. Every attempt will be made to provide existing vendors with the same stall each year. **Additional stalls may be rented on a daily basis, provided space is available.**

◆ No stall will be reserved unless payment is received as stated on billing.

◆ The market site is open to vendors for setup at 5:30 A.M. Vendors must discontinue selling their products and produce when the market ends at 12:00. Cleanup must be completed by 12:30 P.M.

◆ Vendors must be in their assigned stalls by 6:30 A.M. If not, said stalls will be reassigned.

◆ Vendors will not be allowed to leave before 11:30 A.M. unless approved by the Farmers' Market Administrator, or unless they sell out of their product and can safely leave the market (have an outside stall).

◆ Vendors must submit a request in writing for any stall changes.

◆ **Vendors must file in writing any concerns or complaints with the Farmers' Market Administrator.**

◆ All vendors must conspicuously display a sign with their name and address.

◆ All product samples must be covered.

◆ Vendors cannot swap, rent, lease, or give away their assigned stalls without permission from the Farmers' Market Administrator.

◆ **Each vendor is responsible for his or her stall being cleaned and free of litter before leaving the market. Refuse must be picked up on a continuous basis. Unsold produce and refuse must be removed from the market, placed in plastic bags and placed in the market waste dumpster, not the refuse receptacles, which are on-site for use by the shoppers.**

◆ Vendors are required to furnish their own tables and equipment needed to sell at the market, as well as their own broom for cleanup.

◆ Produce vendors are required to have approved class III scale as set forth in the National Institute of Standards and Technology (NIST) Handbook 44.

MUSIC

Two or three areas outside of the vendor stall areas will be reserved for playing music. High school and college students will be allowed to play at no cost. Professional musicians will be asked to pay the Non-Profit daily rate of \$15 per week. All musicians must contact the market administrator if they are interested in performing at the Market.

FACILITIES AND EQUIPMENT

Wisconsin Food Law, Chapter 97, requires food must be produced, processed and held under sanitary conditions. Facilities and equipment used for the sale of food at Farmers' Markets does not need to be elaborate, but must be suitable for the type of product sold.

- ◆ Clean baskets, or cleaned bed of trucks is suitable for most fresh fruits and produce.
- ◆ Potentially hazardous food must be kept at safe temperatures always during transportation and while stored, displayed or offered for sale.
- ◆ Clean, chest-type coolers, free of cracks or open seams, and constructed of materials impervious to moisture, may be used with ice or dry ice for on-site cooling. Mechanical refrigeration may also be used.

PENALTIES

Any violation of these rules and regulations may result in termination. Any portion of fee for stall rental will not be refunded, unless other arrangements have been made with the Farmers' Market Administrator. A \$100 fee will be imposed for vendors who file unsubstantiated complaints against other vendors, and for vendors who, upon inspection, are found to be in violation of policy rules, upon such decision by the Vendors Committee and the Protection & Welfare Committee (see Appeals below).

APPEALS

A decision made by the Farmer's Market Administrator relating to this policy may be appealed to the Protection & Welfare Committee of the Common Council. Appeals on inspection complaints, and any other appeals will go before the Vendors Advisory Committee and the Protection & Welfare Committee for review and final decision. **No fine will be levied until a decision is finalized.**

The appeal needs to include the following: date, Farmer's Market Administrator's decision being appealed, applicable section of the Farmer's Market Policy, reason for appealing Farmer's Market Administrator's decision, signature, address, and phone number.

The appeal needs to be delivered to the City Clerk's Office and a copy provided to the Farmer's Market Administrator, who will forward to the Vendor's Advisory Committee. Appellate will be notified when scheduled on the Protection & Welfare Committee agenda. All interested parties may appear at the Protection & Welfare Committee meeting. The Common Council will confirm the committee's decision.

Amended May 2010 by Protection & Welfare Committee and City Council.