



# Policies, Rules, & Regulations

**As a Market Vendor participating in The Holly Springs Farmers Market (HSFM) you are expected to read, understand, and follow the Rules & Regulations that are in place.**

1. The HSFM is a North Carolina Producers Market. Vendors must be the original producers of all items sold unless previously approved by HSFM staff to have a Product Partner. Vendors must reside and produce the items they sell within the State of North Carolina and may only partner with North Carolina farms and producers. Exceptions may be made at the discretion of HSFM staff.

**Product Partners**—Vendors may partner with other North Carolina farmers/producers to bring food products that would not otherwise be available in our region to market. Such partnerships are not for purchasing items wholesale to resell at HSFM. **Product partners may not be utilized for non-food items, chicken, turkey, beef, pork, goat meat, or eggs.** HSFM staff must be notified prior to selling such products at HSFM. Signage must be provided stating the product and the name and location of the farm that grew/produced the item.

2. The sale of pre-manufactured beverages other than bottled water (maximum price \$1) or beverages produced and bottled expressly for you are prohibited for sale.

3. Vendors must have an application approved by HSFM staff at least one week before they plan to begin selling at the HSFM.

4. All applicable fees upon acceptance into the HSFM must be paid prior to participating in the market.

5. ***The number of vendors selling certain products is set at the discretion of HSFM staff and may vary depending on the type of product offered.*** The HSFM utilizes Vendor Substitutes. If there are excess vendors applying to sell a certain product, a list will be kept of the surplus vendors, who will be contacted with as much advance notice as possible in the event of a regular vendor's absence. Vendor substitutes are subject to all the rules and applicable fees of the market.

6. By being selected to participate at the HSFM, Vendor is agreeing to allow a representative from the HSFM to inspect the business or farm at any time during the season.

7. All vendors must display a sign in their market space indicating their business name, business location, and tax ID number. Vendors with product partners shall have signage stating the product, business name, and location of the farm that grew/produced the item.

8. Prices must be posted in a visible location for all items sold.

9. **Vendors are required to have liability insurance for the products they sell and for potential damages due to their participation in the market.** Proof of insurance, with the HSFM included as additionally insured for the season, will be required prior to opening day. As stated in the application, The Town of Holly Springs bears no responsibility if the Vendor is sued.

10. Growers selling products labeled as ORGANIC must be in compliance with the National Organic Program. Only certified organic growers may display signs using the word "organic." Vendors of Certified Organic items or with other certifications such as Certified Naturally Grown, Animal Welfare Approved, etc. must provide documentation to support claims of certification and have a copy of their certification with them at the market.

11. Any scale used for determining price must display a current NCDA&CS standards division administered legal inspection sticker.

12. All products sold at the market must be of top quality and meet state and local health regulations. If a Vendor consistently brings poor quality products to the market, they may be suspended from the market pending review and re-inspection.
13. All meat, fish, and cheese sold at the market must meet all North Carolina and local health regulations and must have valid licenses. Wild harvested products must adhere to all NC and federal laws. Vendors must have a copy of licenses/certifications with them at the market. No water or ice that comes into contact with meat or fish may be deposited or allowed to drain onto market premises.
14. Vendors selling processed/prepared foods must have their kitchen/restaurant/manufacturing facility inspected and approved by NCDA&CS and include a copy of the inspection with their application.
15. Packaged, bottled, and jarred items must include all labels as required by NCDA&CS. All prepared/value-added food items must be processed in accordance with NCDA&CS Food and Drug Protection regulations.
16. It is the Vendor's responsibility to be aware of and to be in compliance with all permits and license requirements.
17. Vendors may sell handmade crafts they have produced themselves, provided they are not more than 25% of the vendor's product offering. Product partners may not be utilized for non-food items.

## MARKET DAY OPERATIONS

### 18. Location, Dates, & Times

The HSFM will operate outdoors on the section of West Ballentine Street around the Cultural Center on the dates and times listed below. **No participants should begin setting up until the barricades have been placed and the road is officially closed to vehicle traffic.**

#### Traditional Season

- **Every Saturday from May through the third weekend in October from 8:30 am – 12:30 pm**

The Market area will open at 7:30 am. for Vendor set up. Vendors must arrive early enough to ensure that they are completely set up and ready for business by 8:15 am. Once the Market is open, no vendor shall remove their equipment until the market officially closes at 12:30 pm.

#### Winter Season

- **The first and third Saturdays from November through April from 9:30 am - Noon**

The Market area will open at 8:30 am. for Vendor set up. Vendors must arrive early enough to ensure that they are completely set up and ready for business by 9:15 am. Once the Market is open, no vendor shall remove their equipment until the market officially closes at 12:00 pm.

19. Canopies, tables, and all display racks must be confined within the sales space area assigned (approximately 10'x10' for single booths and 20'x10' for double booths). **Weights must be used to keep canopies secure.** Vendor is responsible for bringing their own tent, tables, chairs, canopies, weights, and other items they will need to sell their product.
20. Limited electricity is available on site for an additional charge. Outlets are for ESSENTIAL product-related purposes (eg: refrigeration) only. Vendors must have prior approval to use electrical outlets and will provide their own extension cords. We require extension cords be rated for outdoor use. *Currently, the cords should be longer than 150' to reach outlets; we are in the process of having outlets placed near the street which will allow for shorter cords.*

**21. The market traffic flow is one-way only (clockwise).**

Setup:

- a. Vehicles may enter the market area for unloading/loading only and must be removed immediately upon unloading/loading. Enter the market from the western side and exit on the eastern side.
- b. When setting up—pull up to your space as close to the curb as possible to allow other vehicles to pass, drop off your items onto the sidewalk, park your vehicle, and then set up.
- c. Thirty minutes before the market opens, the market manager will close the venue to incoming vehicle traffic. All vehicles must be out of the market 15 minutes before opening. Vendors arriving less than 30 minutes before the market opens must park outside the market area and walk their things into the market. Vendors arriving after the market opens will not be allowed to set up. Exceptions are at HSFM staff discretion.

Breakdown:

- d. When breaking down—take down and pack up your items onto the sidewalk, get your vehicle, pull up to your spot staying as close to the curb as possible, load, then exit the market area. Enter the market from the western side and exit on the eastern side.

**22.** Produce and meat vendors must have prior approval by HSFM staff to keep a vehicle at their assigned space during market hours. Such requests are available on the application and will be reviewed and determined during the application review process. If approved, all associated fees must be paid prior to the market season. Vendors shall not move their vehicles in or out of the market area during operating hours for safety concerns.

**23. Parking:** Vendors should park in the Holly Springs United Methodist Church parking lot along Ballentine Street between the Cultural Center and Town Hall.

**24.** No heaters of any kind may be used in the market area.

**25.** Vendors shall not play audio equipment that is audible outside of their booth space.

**26.** Vendors may not distribute handbills, promotional materials, or samples outside of your booth space/table area.

**27.** Each Vendor is responsible for cleaning up his/her immediate area before leaving the market for the day. There are two town trash receptacles in the market area—please use these to dispose of waste after the market.

**GENERAL MARKET POLICIES**

**28.** No animals may be sold or given away at the HSFM.

**29.** Vendors may not bring pets to the HSFM.

**30.** Vendors should operate their business in a professional manner at all times. Vendors shall conduct themselves in a manner that is courteous to other vendors, market personnel, and the public. Behavior which is threatening, abusive, or harassing shall constitute a violation of the HSFM Rules and Regulations, and is grounds for immediate termination with no refund, at the discretion of HSFM staff.

**31.** This is not a discount market. Anyone engaging in price wars or reselling wholesale items will be removed from the market.

**32.** Vendors must be present at least 80% of market dates they have committed to. At least one week notice should be given to HSFM staff in the event of a scheduled absence, to allow time to schedule a vendor substitute. If a Vendor is absent without notification more than two (2) times during the season, that Vendor may be reclassified as a Daily Vendor and their space filled with a replacement. If this occurs, the original vendor will be assigned space only on dates where space for their category of product is available.

**33.** There will be no refunds given for those Vendors that choose not to utilize their prepaid space, or Vendors who are terminated due to violation of market rules.

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| <p>34. The HSFM will be closed if hazardous weather conditions are imminent. Market times may be altered based on weather reports and site conditions. Closure info will be available via email, on <a href="http://www.hsfarmersmarket.com">www.hsfarmersmarket.com</a>, and on the HSFM Facebook page.</p> |
| <p>35. Vendors in violation of HSFM Rules and Regulations will first receive a verbal warning, then a written warning, and if violation continues, may be suspended or terminated from participating in the HSFM without refund.</p>   |
| <p>36. Rules are created and modified by the Town of Holly Springs.</p>  |
| <p>37. Rules are enforced by the HSFM Coordinator or any other member of the Holly Springs Planning &amp; Zoning staff.</p>  |
| <p>38. Vendor acceptance of these rules and regulations is agreed to upon submission of application to participate in the HSFM.</p>  |

## **HOLD HARMLESS CLAUSE AND INSURANCE**

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All authorized vendors participating in The Holly Springs Farmers Market (HSFM) shall be individually and severally responsible to the Town of Holly Springs for any loss, bodily or personal injury, deaths, and/or property damage that may occur as a result of the vendor's negligence or that of its servants, agents, and employees. All vendors hereby agree to indemnify and save the Town of Holly Springs, its officers and employees harmless from any loss, cost, damages, and other expenses, including attorneys' fees, suffered or incurred by the Town of Holly Springs by reason of the vendors' negligence or that of its servants, agents and employees; provided that the vendors shall not be responsible nor required to indemnify the Town of Holly Springs for negligence of the Town of Holly Springs, its officers, or employees. No insurance is provided by the Town of Holly Springs to participants in the HSFM.

## **VENDOR REQUIREMENTS**

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All goods sold at the HSFM must comply with all applicable federal, state, and local laws, including without limitation, all applicable health regulations, as well as the N.C. Department of Agriculture's general guidelines regarding products exhibited for sale at farmers' markets. All prepared food items, meat, fish, and cheese sold must meet state and local health regulations including the inspection of the prepared foods seller's kitchens by the North Carolina Department of Agriculture health inspectors and labeling in compliance with regulations. Sellers of meat and fish must have valid licenses. Wild harvested products must adhere to all NC and federal laws. To the extent any vendor is selling any product that requires the vendor to obtain and maintain any license or certification, the vendor shall have and maintain such license or certification and shall make it available for immediate inspection by HSFM staff upon request.

I/We agree to abide by the HSFM Rules & Regulations and hold harmless clause and insurance statement and if I violate any of the rules and policies my Vendor status may be immediately terminated.

If accepted as a vendor at the HSFM, I understand that I will receive weekly e-mails regarding important market information.

## **OPTIONAL INFORMATION RELEASE**

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I hereby grant the HSFM permission to publish my name, business name, address, and phone numbers in any HSFM publication to be shared with Market patrons, vendors, and used on the HSFM website.

I hereby grant permission for myself and any staff or assistants to be photographed, voluntarily and without compensation by the HSFM, understanding that the same, along with my name, is intended for publication by print media, television, video or motion picture.

I hereby grant permission for the HSFM to use images from my website and/or social media for the purposes of promoting the HSFM and my own business

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