

Presque Isle District Library

# Winter Farmers Market

## Vendor Application Packet

### Market Rules and Regulations

**VISION:** Establish and support activities in the downtown area that create a sense of community, social gathering and foster economic growth through the winter months.

**MISSION:** Establish and operate a “Winter Farmers Market” located in the Presque Isle District Library – Rogers City location.

**PURPOSE:** Enhance the quality of life within our community and to promote continuing development for Rogers City.

### General Vendor Guidelines

1. The market is located in the Constance Jordan Room at the Rogers City Library branch of Presque Isle District Library at 181 E. Erie Street, Rogers City, Michigan 49779.
2. Hours of operation are 10 am to 1 pm every Saturday from **Saturday December 1<sup>st</sup>** through Saturday, May 2<sup>nd</sup>.
3. Vendors should arrive no earlier than 9:30 am and should be set up and ready to greet customers for the opening of the market at 10 am.
4. The Presque Isle District Library will have final approval of all Vendor participation and final authority on site to interpret and enforce rules and regulations.
5. Vendors not complying with instructions or rules of the market will be considered in material breach and default of the agreements, and may be asked to vacate their premises immediately.
6. The Presque Isle District Library may at its sole discretion revise the Rules and Regulations, and may alter operations of the market at any time. Current rules will be available at Rogers City Library Circulation Desk and on the district library website.
7. Vendors agree to comply with the rules of the market.
8. Presque Isle District Library reserves the right to reject any application.
9. Vendors shall sell only items that have been approved on the application submitted. The market has sole discretion to add or delete items from the list, and unacceptable merchandise quality will not be sold at the market.
10. No produce purchased at any retail outlet, even at a reduced cost, can be sold at the market.
11. All Vendors, without exception, must sign the Indemnity Agreement before they can sell at the market.

## **Required Permits and Fees**

All Vendors must have applicable permits to participate in the Presque Isle District Library Winter Farmers Market. Food Vendors must meet additional Health Department requirements. Presque Isle District Library is not responsible for applying, acquiring, or paying fees for Vendor permits

## **Market Code of Conduct**

The Winter Farmers Market is a library operated facility. The District Library's minimum expectations for all market Vendors are that they be reliable, be set up to greet customers for the opening of market by 10 am, and keep a good, positive attitude for the duration of the market hours. Market Vendors are expected to comply with the market rules and regulations to be allowed to participate at the market. Incidents of unruliness and verbal disdain will not be tolerated and will result in immediate and permanent expulsion from the market.

Concerns or complaints may be discussed with the Library Director on-site before or after market hours.

1. The market and immediate vicinity is a "Family Friendly" area and all are expected to act appropriately.
2. Vendors are required to wear shoes and shirts at all times. Vendors should wear clean clothing and present a professional appearance.
3. Vendors may not smoke in any Vendor area.
4. Foul language, profanity, or other rude behavior is not permitted.
5. Possession of firearms, consumption of alcohol, use of drugs, or operating under the influence is not permitted and is grounds for permanent eviction from the market.

## **Space Assignment**

The District Library will work to ensure all Vendors have an appropriate booth space. Our goal is to provide the citizens of Rogers City area a wide variety of goods at the market. The following rules will apply to space assignment:

1. Vendors with a history of good attendance at the market will be given first priority and will receive a regular assigned space. Reserved spaces not occupied 30 minutes prior to the opening of the market may be re-assigned.
2. Each Vendor will be assigned one 4x8 table space with two chairs. Vendor supplies table cover (plastic and/or vinyl) and signage.
3. Booth spaces not assigned to regular season Vendors will be on a first come, first served basis on market days.
4. A Vendor will forfeit their reserved space if three markets are missed without notifying the library director.

## **Vendor Rules**

1. All Vendors must complete and submit a Vendor Application this includes acceptance of the Market Rules and Regulations and adherence to related governmental rules and permit requirements.
2. It is the responsibility of the prospective Vendor to complete, sign, and return all required paperwork and fees. Incomplete packets will not be processed.
3. Vendor application does not guarantee space. All decisions for Vendor participation is at the discretion of the Library Director.
4. Required applications, permits, licenses, and fees must be complete before Vendors will be allowed to participate in the market.
5. All Vendors must display a sign on their table clearly identifying the name of the Vendor and their location (county or city). Other information such as telephone number or website may be included.
6. Vendors must provide their own signs and refrigeration (if needed).
7. Electricity is available onsite. Vendors must supply their own extension cords and mats or tape to cover any portions of the cord that lie in any walking area used by market customers. Vendors who require electricity to comply with health department requirements have priority over electrical uses not required to ensure product safety.
8. Vendors and their employees are responsible for informing themselves about complying with federal, state, and local health regulations and licensing requirements governing the production, display, distribution, sampling, and sale of their products.
9. Vendors providing samples of their products must comply with the rules governing market sanitation and health issues from the Presque Isle County District Health Dept. No. 4 or other authorities.
10. Manufactured food products must meet Presque Isle County District Health Dept. No. 4 requirements, including licensing and permitting rules.
11. Foods and food products produced by "Cottage Food Producers" may be sold at the farmers' market pursuant to the rules and regulations established by the Michigan Department of Agriculture & Rural Development.
12. All foods must be properly labeled. No un-labeled packaged or processed foods are allowed.
13. For information on the sale of manufactured canned or other processed foods contact the Presque Isle County District Health Dept. No. 4 at (989) 734-4723 or MSU Presque Isle County Extension Office at (989) 734-2168.
14. The vendor is solely responsible and liable for any claims and damages resulting from the sale of unsafe, unapproved, or unsound goods.
15. Vendors must supply all materials and containers for customer sales.
16. Artisans and vendors who offer unique and quality handmade or handcrafted work or products are welcome to perform or sell at the farmers' market.
17. Presque Isle District Library will determine eligible participation. All decisions are final.

18. Vendors are responsible for obtaining a Sales Tax Number if required by the State of Michigan and collecting and paying any sales tax that may be assessed on their products. The vendor shall be responsible for filing any and all returns required by the State of Michigan with respect to sales tax collection. The Winter Farmers Market will not involve itself in collection, audit, or any other related sales tax activities.

19. Trash must be placed in suitable containers. The market provides trash barrels for vendor convenience. Boxes that are left at the market for disposal must be broken down and placed near the trash receptacles. No trash should be left in the market area of the Constance Jordan Room.

20. Restrooms are available on site.

## Vendor Categories

The farmers' market groups vendors into three categories. Those categories are listed below and include examples of the type of products each can sell at the farmers' market.

- 1. General Vendors:** are those selling fresh garden produce and other items not considered food products.  
**Examples:** fruits, vegetables, garden produce, flowers, arts & crafts, herbal tinctures, herbs, soaps, body care, bath products, seeds, plants and pet products (not all inclusive)
- 2. Cottage Food Producers:** are those "home based" vendors selling food products cooked and prepared in their kitchen and meeting the special requirements established by the Michigan Department of Health.  
**Examples:** Baked goods, breads, rolls, biscuits, sweet breads, muffins, cakes (birthday, wedding, anniversary, etc), pastries, cookies, candy, coated and uncoated nuts, unroasted nut butters, fruit butters, canned jams or jellies, fruit pies, dehydrated fruit or vegetables, including dried beans, popcorn and popcorn snacks, cereal - including granola, dry mixes, vinegar, pickles, mustard, roasted coffee or dry tea, dried herbs and dried herb mixtures (not all inclusive)
- 3. Temporary Food Establishments:** are those vendors selling manufactured or prepared food products considered potentially dangerous. These require a special permit and are subject to special requirements by the Presque Isle County District Health Dept. No. 4.  
**Examples:** Fresh or dried meat or meat products including jerky, canned fruits, vegetables, vegetable butters, salsas etc., fish or shellfish products, canned pickled products such as corn relish and sauerkraut, raw seed sprouts, bakery goods which require any type of refrigeration such as cream, custard or meringue pies and cakes or pastries with cream cheese icings or fillings, milk and dairy products including hard, soft and cottage cheeses and yogurt, fresh fruits dipped or coated in chocolate or similar confections; fresh vegetables, and juices made from fresh fruits or vegetables, ice or ice products, barbeque sauces and ketchups, foccaccia-style breads with vegetables or cheeses, chocolate covered graham crackers, rice krispy treats, dried pasta, sauerkraut, relishes, salsas, sorghum, lemonade, juices, hot chocolate or similar beverages. (not all inclusive)

Questions about requirements for specific food items should be directed to the Presque Isle County District Health Dept. No. 4 at (989) 734-4723.

# Vendor Application Form – Winter Farmers Market (PIDL)

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Address:

\_\_\_\_\_  
(Street City State ZIP Code County)

Farm/Business Name:

\_\_\_\_\_  
Telephone: \_\_\_\_\_ Cell: \_\_\_\_\_ Texting Available? Yes \_\_\_\_\_ No \_\_\_\_\_

E-Mail:

\_\_\_\_\_  
Number of spaces requested: \_\_\_\_\_ My booth will require electricity: Yes \_\_\_\_\_ No \_\_\_\_\_

Products to be sold:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
By signing this application, I agree that I have read the rules and regulations of the Presque Isle District Library's Winter Farmers Market and agree to comply with them. Further, I agree to sell only those items listed in the Vendor Application form unless an additional request is granted at a later date. I acknowledge full responsibility for all my actions and activities in the Market (and for those assisting me) throughout the term of this season's market (December – May).

I acknowledge the authority of the Presque Isle District Library to settle any disputes regarding product legitimacy, procedural and Vendor conduct violations, and to impose any penalties, including possible suspension or removal from the Market. Copies of all necessary licenses and applicable Vendor application fees must accompany this application.

Return this application to:

Amber Alexander  
Presque Isle District Library  
181 E. Erie Street  
Rogers City, MI 49779

# Indemnity Agreement – Winter Farmers Market (PIDL)

WHEREAS, \_\_\_\_\_, a vendor, charitable organization or other type of entity (User) desires to participate in the Presque Isle District Library Winter Farmers Market; and

WHEREAS, such organization meets the criteria for participation in the Presque Isle District Library Winter Farmers Market and agrees to obey the rules of the market and understands the nature of operating within the Presque Isle District Library Winter Farmers Market and their responsibilities as a Market Vendor or Participant in the market, including assuming responsibility for safe operation and conduct of their business within the market; the User agrees to indemnify, hold harmless and defend the Presque Isle District Library, its officers, agents and employees from and against all liability for and all claims, suits, demands, and/or actions for damages, injuries to person (including death), property damage (including loss of use) and expenses including court costs and attorney's fees and other reasonable costs occasioned by or arising out of User's presence within the market area permitted by the Presque Isle District Library conducted in connection with or incidental to participation and arising out of or resulting from the intentional acts or negligence of User, its officers, agents, employees, or person participating in the event sponsored by the User.

User further agrees that it shall, at all times, exercise reasonable precautions on behalf of, and be solely responsible for the safety of its officers, agents, employees, participants, visitors, and other persons as well as their property, while in or on the market and surrounding areas. It is expressly understood and agreed that the Presque Isle District Library shall not be liable or responsible for the negligence of User, its agents, servants, employees, customers, visitors, and participants.

It is further agreed with respect to the above indemnity, that the Presque Isle District Library and User will provide the other with prompt and timely notice of any event covered in any way directly or indirectly, contingently or otherwise affected or which might affect the User or Presque Isle District Library.

User further agrees that this indemnity provision shall be considered as an additional remedy for the Presque Isle District Library and not as an exclusive remedy.

User Name: \_\_\_\_\_

Title: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Presque Isle District Library  
181 E. Erie Street  
Rogers City, MI 49779