

LINCOLN COUNTY SMALL FARMERS ASSOCIATION

NEWPORT FARMERS MARKET

2023 GENERAL MARKET RULES

The primary mission of the Newport Farmers Market is to support local agriculture as well as local artisans by providing a venue for locally grown foods, farm products, and handcrafted items. In accordance with the LCSFA Articles of Incorporation and Bylaws, first consideration for new vendor applications will be given to agricultural vendors within Lincoln County.

1. Vendors must apply annually and their products must be approved before they become LCSFA Members. All applications will be reviewed by the LCSFA Board of Directors and vendors will be notified in a timely manner as to acceptance or rejection of applications. Submitting an application does not guarantee selling rights or a market space.
2. All new vendors, along with current members with new products, **must submit photographs** or samples of their products.
3. LCSFA reserves the right to prohibit anyone from selling any product or produce.
4. The annual membership fee is \$25 and must be paid on your first market day. Returning vendors must submit their application by the set deadline in order to request a booth location. Market membership guarantees voting rights and representation on or with the Board of Directors-One Membership, one vote. Membership is valid for 1 year from the date your membership fee is paid.
5. In addition to the annual fees, each member must pay a daily fee for each day of the market.

The fee structure is:

- \$25 for a 10' x 10' Booth space
- \$35 for a Vehicle space (These spaces are limited and require Manager approval)

6. Spaces are assigned by the Market Manager. Seniority is one of the tools the Manager uses to assign spaces, but the overall management of the market will guide decisions with regard to space assignment and may supersede the seniority of an individual vendor in particular circumstances. The Market Manager will make every effort to accommodate vendors with disabilities.
7. The Market Manager will make assignments, to the amount practical, by vendor seniority. Vendors with seniority and good attendance will have an assurance of consistent site location. Location requests are considered as much as possible. Returning vendor's space requests are made on the vendor application, and fully completed applications must be received by the set deadline for space assignments based on seniority. A vendor's seniority cannot be used to displace another vendor of lesser ranking once the market season has begun.
8. On days when multiple last minute cancellations create open spots, the Market Manager will need to rearrange vendors' booth spaces in order to have a more cohesive market layout.
9. Due to space limitations, no single craft vendor will be assigned two adjacent spaces within the market (unless space is available and no other vendor is requesting the space on that day). Farm vendors may be assigned more than one but not more than 3 adjacent spaces.
10. Vendors designated as "Hot Food" vendors will be assigned to the food court regardless of their seniority score. Individual exceptions could be made if the vendor's operation is in compliance with the Newport fire code and with the express approval of the LCSFA Board of Directors.

11. All vendors must comply with federal, state, county, and local rules and regulations related to the production and sale of their products. This includes, but is not limited to, compliance with (1) federal, state and local health licensing requirements, (2) the Farmers Market Guidelines prepared by the Oregon Department of Agriculture, and (3) standard governing labeling, packaging, display, and weight, including scale certification with the Oregon Department of

Agriculture Measurement Standards. Failure to conform to such rules and regulations may be grounds for removal from the Market and forfeiture of fees. **Copies of all licenses, permits, and certifications must be included with the vendor application.**

12. Vendors are solely responsible for product liability. Food and Agricultural vendors must carry general and product liability insurance. It is recommended that makers of cosmetic products carry liability insurance. LCSFA is not responsible for any loss or damage incurred by vendors.

13. Vendors are expected to behave courteously to customers, other vendors, market staff, and volunteers and conduct themselves professionally at all times. Vendors may not publicly disparage other vendors, employees, volunteers, products, or the market. There are Concern Forms and Product Challenge Policies in place for use by all members.

14. Vehicle Space Vendors must be on site between 6:30 am and 8:00 am for safety reasons. All other vendors may arrive and unload between the hours of 6:30 am and 8:15 am.

- Please unload your vehicle first;
- Move your vehicle to the vendor parking areas; then
- Set up your booth
- All moving vehicles must be out of the Market area by 8:30. Vendors must be ready to sell by 9:00 am

15. Vendors are required to park in designated parking areas only, leaving those parking spaces closest to the Market for our customers. **Vendors may not park in the adjacent parking lots or close East side streets (i.e. Lee St.).** The only option for parking on the East side of Hwy 101 for vendors is the lot on 9th and Hurbert St. The Courthouse parking lot on the West side of Hwy 101 is the optimal choice. The City of Newport is extremely concerned about available parking in this area, so please respect their concerns.

16. Except for designated vehicle spaces, no vehicles will be allowed in the market area after 8:15 am. No moving vehicles will be allowed in the market area **until 1:30 pm**. Customer safety is a priority.

- Pack your booth first; then
- Get your vehicle to load.
- Vendors must be packed and ready to leave the market area by 2:45 pm
- The lot reopens at 3:00 pm

17. All vendors must stay until the close of the Market at 1:00 pm. A "Sold Out" sign may be placed in your booth if you sell out of product, but your canopy, tables, etc. must remain in place.

18. All vendors must leave their area clean at the end of market day. Due to possible overflow of market and City of Newport trash bins; vendors are responsible for the disposal of their own trash. Please take your trash home with you. All market trash bins and City bins are for customer trash only. Please help us keep our commitment to the city by keeping this market location clean.

19. Vendors may not block fire lanes.

20. Vendors must notify the Market Manager by 12:00 pm on the Thursday prior to the market day if they will not be attending. Advance notice of any planned absence is greatly appreciated by the Market Manager.

- Cancellations due to emergencies will be considered an exception to the rule. **Please call or text 541-961-8236 to notify the Market Manager before 7:30 am on market day. Put this number in your phone.**
- Failure to notify the Market Manager will result in the vendor being charged for that day the following week. The vendor will not be allowed to set up in any future market until the fee is paid.
- **Weather is NOT an emergency.**

21. Winds in Newport can be quite strong and dangerous.

- All vendors with canopies are required to have a minimum of 25 pounds of weight on each canopy leg at all times.
- No stakes are allowed on City property.

22. LCSFA retains the right to reassign vendor space at any time and to suspend or terminate vendors from market participation for failure to comply with the rules, including the payment of fees.

23. The Market Manager shall have the authority to enforce all rules. Should a vendor fail to abide by LCSFA rules the following consequences may occur:

- A major violation, such as committing an unlawful or violent act or physical or verbal abuse, will result in the immediate termination of market participation.
- Minor violations will result in the following series of actions:
 - ◆ First violation: Written Warning
 - ◆ Second violation: Written Warning
 - ◆ Third violation: Immediate, temporary, or full-season suspension of market participation. There will be no reimbursement of vendor fees.

24. The Market Manager may at any time request to conduct a farm, kitchen, studio, or business inspection visit. Failure to comply can be cause for termination.

25. Anyone wishing to appeal an action of the Market Manager or has a grievance with another vendor may document the problem on the Concern Form in writing and request a hearing by the LCSFA Board of Directors. Within two weeks of receiving the Concern Form, the Board shall render a decision on the merits of the grievance and apply remedies. During the grievance process, anyone who violates the market rules must adhere to the original penalty with no right to restitution for any losses. Decisions by the board of Directors are final.

26. Vendors may submit a Product Challenge Form if they believe another vendor is misrepresenting their product. There is a \$100 filing fee which can be shared by a group of vendors. This fee is returned to the challenger if the claim is verified. Submit the Challenge Form to the Market Manager on the market day or within a week of the market day that the alleged violation occurred. The LCSFA will not reveal the challenger's identity to anyone. The LCSFA will conduct such an investigation as conditions permit to make a determination on the product challenge. If the challenged vendor is found to be in violation with these rules, that vendor may be warned, suspended, or removed from the market at the discretion of the Board of Directors.

27. Use of tobacco products within the market boundaries is PROHIBITED.

28. There will be no discrimination based on race, color, creed, gender, religion, sexual orientation, age, or nationality.

29. No proselytizing, military recruitment, or political campaigning is allowed at the market.

30. Dogs are allowed to visit the Newport Farmers Market. Dogs are not allowed in any food booth (per Oregon State Farmers Market Guidelines).

31. The booth must be run by someone 18 years or older. Minors are welcome and can help but an adult must be present.

