



# ***Montevallo Farmers' Market***

## ***Rules and Guidelines***

### ***INTRODUCTION***

Montevallo Farmers' Market (Montevallo Monday Market) has the goal to provide fresh foods and products, and direct marketing of farm products to the people of Montevallo and its surrounding areas. The following rules and guidelines are designed to make it as easy as possible for local producers to sell their products directly to the general public.

### **Market Advisory Committee**

Cheryl Patton: 205-746-8721, Herschel Hale: 205-616-0671, Adele Nelson: 205-381-0197  
The Market Advisory Committee manages the regular business operations of the market and welcomes your input.

### **Market Manager**

Steve Gilbert: 205-665-1519 (Chamber Office) & 205-960-8587 (Cell)

The Market Advisory Committee will conduct its day-to-day operations through Market Manager Steve Gilbert.

### ***STATEMENT OF RULES & REGULATIONS***

#### **Approval of vendors and products:**

1. Only producers may sell at the market. A producer is defined as the person who grows or makes the product, and may also include the producer's immediate family, partners, employees, or local cooperatives upon prior review. A "partnership," for the purpose of this document, is defined as two or more individuals engaged together in the joint production of agricultural products. The number of non-food vendors may not exceed 30% of the total vendors. Any complaints filed with the Market Manager concerning production regulations will be investigated by the Market Advisory Committee and/or a representative of the State of Alabama Farmers' Market Authority. Should a complaint be found valid, it may result in expulsion from the market for the remainder of the selling season, and no refund will be made for market fees paid to date.
2. Arts and crafts are not permitted for sale at the market unless they have received prior approval by the Market Advisory Committee. If there is any question whatsoever about whether an item may be sold at the market, a brief written proposal should be submitted to the Market Advisory Committee for review.

3. Producers may sell their own farm and kitchen products, including but not limited to: fruits, vegetables, eggs, cut flowers, plants, cheese, cider, jams, jellies, relishes, honey, home canned goods, and baked goods. Many items are subject to Health Department regulations. It is the responsibility of the producer to abide by these regulations. Contact the Health Department for inspection and approval. No cooking is permitted within the market area without prior approval by the Market Advisory Committee. It is the responsibility of each producer to abide by all state and federal regulations which govern the production, harvest, preparation, preservation, labeling, or safety of products offered for sale at the market. Vendors are liable for their own products. The Market Advisory Committee, City of Montevallo, Shelby County, and/or the State of Alabama Farmers' Market Authority shall not be held accountable for the products offered by vendors. Product and liability insurance is the responsibility of the producer.
4. At the beginning of each day, vendors will check in with the Market Manager. Vendors must be set up at the market by 2:30 PM and ready to do business when the market opens at 3:00 PM. When running late, contact the Market Manager at 205-960-8587. Each seller is expected to stop selling at 6:00 PM and have all produce, baked goods, boxes, containers, etc. loaded for removal promptly. The Market Manager will have the authority to change the market hours on special occasions; however, notice must be given to the Market Advisory Committee beforehand.
5. The sale of live animals is not allowed at the market.
6. The use of electrical generators must be cleared with the Market Advisory Committee before usage.
7. Solicitation for political campaigns, products, services, or charitable contributions not specifically addressed as a market commodity is not permitted.
8. Vendors must be 16 years of age or older. Younger children are welcome and encouraged to participate, but must be accompanied by an adult responsible for the child's conduct and safety..
9. Fraudulent, dishonest, or deceptive merchandising, disruptive behavior, or collusion to set prices among vendors may be grounds for forfeiture of the right to do business of any kind in the market for a length of time to be determined by the Market Advisory Committee.
10. All profane, abusive, discourteous, and boisterous language and/or conduct in or around the market area is prohibited.
11. Vendors will be solely responsible at all times for the cleanliness within their vending area regardless of the origin of the debris in that location. Each vendor is required to leave the space clean at the end of the day.
12. The Market Manager and/or the Advisory Committee will have the full power to enforce all rules and regulations within the market area as authorized by the Market Advisory Committee. Failure by any vendor to comply with any of these rules and regulations can result in the forfeiture of the right to do business of any kind in the market for a length of time determined by the Advisory Committee and, if need be, escorted by legal authority off premises.

**Rules and Law Compliance:** Wine is prohibited for distribution and/or retailing at farmers market in the State of Alabama. Alcohol, i.e. beer, whisky, etc., is prohibited for sale at farmers markets. **The market and its vendors will follow the Alabama Department of Agriculture and Industries Farmers Market Authority Administrative Code.**

## ***SPACE ASSIGNMENTS AND RESERVATION POLICIES***

### **Criteria for selecting vendors and fees:**

1. Vendors will be licensed to sell from only one vehicle and must occupy only one space as assigned by the Market manager, unless an additional space has been approved and payment has been received for this space. Maximum vehicle size is a 1-ton pickup truck or van, unless prior arrangements have been made. Displays must be confined to the assigned space. If the vendor is using a trailer to display and sell goods, the towing vehicle may have to be disconnected and moved out of the area. If a vehicle or display is obstructing pedestrian traffic, or judged to be a safety hazard, it must be moved.
2. Farmers may reserve a vendor space for a fee of \$20 per day. The Farmer/Vendor must provide notification to the market manager of their participation each week by the previous Thursday by 3:00 PM. The rental fee shall be paid to the manager on each market day. Should a vendor fail to pay rental fee, they will not be permitted to return to the next market.
3. There will be 12 (twelve) market sessions, weather permitting. Vendors who pay for the full season by June 1 will pay only \$220.00 for the season and will have a reserved location for all 12 market sessions. If a market is cancelled due to weather, Vendors must contact the Market Manager to request a refund.
4. The Market Manager designates the vending location for all producers with or without vehicles, and if the Market Manager judges it necessary, may require a producer to relocate.

**Necessary documents, permits and labels:** Producers must present a grower's' permit from the Cooperative Extension Office. The County Extension Office is located at 54 Kelly Lane, Columbiana, AL 35051. Phone: (205) 669-6763 Hours: 8:00 am to 4:30 pm. Monday - Friday. Many items are subject to Health Department regulations. For information regarding home processed products, meat products, insurance, proper weight and measures, dairy products, shell eggs refer to the **Alabama Department of Agriculture and Industries, Farmers Market Authority Administrative Code, Chapter 80-7-1.04(c)(e)(g)(h)(i)(j)**, it can be found at ([www.buylocalalabama.com](http://www.buylocalalabama.com)) or ([www.fma.alabama.gov](http://www.fma.alabama.gov)). Vendors not qualifying for growers permits, i.e. craftsmen, some baked goods, etc. require a local business license.

**Market Operation & Location:** The Montevallo Farmers' Market, at present, will be held every Monday located behind Montevallo First Baptist Church (660 Main Street) on the parking lot at the corner of Middle and Island Streets. . The time of operation will be from 3:00 PM until 6:00 PM. The opening date for the market will be the first Monday in June. . The closing date will be the third Monday in August.

Every vendor must arrive at least 30 minutes prior of start time for set up. All profane, abusive, discourteous, and boisterous language and/or conduct at or about the market area are prohibited. Use or possession of alcohol, illegal drugs or gambling at or about the market area is prohibited. If you are selling products that do not allow you to be classified as a grower, i.e. baked goods, or other non-produce related products, you are required to have a business license from the City of Montevallo, located at 545 Main St. Phone: (205-665-2555) Hours: 8:00 am to 4:30 pm. Monday - Friday. Shelby County, and the State of Alabama, and are responsible for collecting and remitting related sales taxes. Any fees collected by the market are for the

express purpose of promoting and operating the Farmers' Market. This includes, but is not limited to, administrative expenses and advertising. Information on Shelby County and State of Alabama Requirements can be found online at <http://www.shelbycountyalabama.com/index.aspx?NID=420>

**Enforcement Process:** The market manager will enforce the rules. Fraudulent, dishonest, or deceptive merchandising, disruptive behavior, or collusion to set prices among vendors may be grounds for forfeiture of the right to do business of any kind in the market for a length of time to be determined by the Market Advisory Committee. *Example #1: Producer fails to notify manager he/she will not be attending the market that week might equal a one week suspension. Example #2: Producer discovered reselling foreign products might equal a one month to one year suspension or even disqualification.* Failure by any vendor to comply with any of these rules and regulations can result in forfeiture of the right to do business of any kind in the market for a length of time specified by the Market Advisory Committee. If a vendor would like to appeal their suspension or disqualification, a hearing will be arranged with the market manager and the steering committee to hear arguments. The Market Advisory Committee will then vote on a resolution to determine the outcome of the producers appeal. All complaints regarding market management will be handled by the Market Advisory Committee.

**Hold Harmless and Indemnification:** Vendor agrees to indemnify and hold harmless the market organizer from any liability arising from the vendor's participation in the market.

**Food Safety and Sampling:** All procedures set forth in the **Alabama Department of Agriculture and Industries, Farmers Market Authority Administrative Code, Chapter 80-7-1.05(d)** must be met. It is the responsibility of each vendor to abide by all state and federal regulations which govern the production, harvest, preparation, preservation, labeling, or safety of products offered for sale at the market. All vendors regardless of product must meet the health requirements that prevent food borne illnesses. No cooking is permitted within the market area without prior approval.

## ***GUIDELINES***

It is recommended that vendors use safe, natural, and colorful displays. Be aware of tripping hazards in the walk area. It is best to raise all displays (especially food items) at least 24 inches from the ground. Three vertical levels of display will dramatically increase product visibility.

Tents and tables will be available at no additional cost to vendors on a first-come, first-served basis. Otherwise, you will provide your own.

It is recommended that each vendor have a sign identifying the name and location of the farm.

**Agreement Signature:**

The Montevallo Farmers’ Market will be conducted in accordance with the above Rules and Guidelines. The Market Manager will review all applications and contact vendors if approved; the Market Manager will also email or U.S. Mail vendors’ approved schedule.

The undersigned producer vendor has read the Rules and Guidelines and agrees to abide by its requirements. The Montevallo Farmers’ Market reserves the right to make a farm visit to all new vendors during the first year and all returning farmers on an annual, or every other year basis, and also reserves the right to inspect any farm, artisan or food producer when questions arise concerning that producer’s items. By signing or agreeing below, the vendor agrees to all the Rules and Guidelines contained within this document.

\_\_\_\_\_ PRINT  
 NAME (vendor) DATE

\_\_\_\_\_ Vendor  
 Signature

\_\_\_\_\_ Market  
 Representative Signature