



Bylaws of the Easton Farmers' Market

Revised March 2010

I. PURPOSE

The purpose of the Easton Farmers' Market (EFM) is to provide fresh, high quality, local produce and food products directly from regional growers to the consumer. EFM strives to support local agriculture and preserve Northampton County's agricultural heritage, while promoting the urban-rural connection and providing consumers with the opportunity to connect with the farmers who grow their food. EFM also offers local food purveyors, artists and crafters an outlet for the sale of their handmade products. EFM contributes to the City of Easton's revitalization by transforming the Downtown into a vibrant and important social gathering place.

II. PARTICIPATION / ORGANIZATION

A. The Easton Farmers' Market (EFM) is a subsidiary of the Greater Easton Development Partnership (GEDP), a registered 501(c)(3) organization. The EFM is governed by the EFM Advisory Council (EFMAC) who reports to the GEDP.

The EFMAC consists of:

- One representative from the City Council of Easton who will serve at the request of the GEDP Board.
- One City of Easton Health Officer
- Manager and Assistant Manager of Easton Farmers' Market
- Four EFM vendors (three farmers and one non-farmer) in good standing, to be voted upon by the EFMAC
- Two EFM volunteers, to be voted upon by the EFMAC
- Secretary
- Chairperson (the EFMAC chairperson shall be nominated and elected by the other members of the EFMAC)

EFMAC terms are one year and are renewable.

B. It is recognized that although members of the EFM sell as individuals, the market is a cohesive unit. Its success depends on the cooperation and joint effort of all the vendors as a whole.

- C. The EFM is a producer-only farmers' market: vendors must be growers or producers of the items they present for sale at the market. The resale of items purchased by the vendor is not permitted at the EFM except as noted in Section III, Paragraph A.2. Supplemental Products. Vendors must be full or part-time producers of accepted products that are permitted for sale at the market.
- D. All vendors are required to read and sign the Electronic Benefits Transfer (EBT) and Debit Program Participation Agreement and follow all rules contained therein. All vendors are required to accept EBT tokens as permitted by law.
- E. Vendor categories are: vegetables, fruits, baked goods, cut flowers, live plants, meat and other animal products, crafts, prepared foods, and other as approved by the EFMAC.
- F. Product Prohibitions
 - 1. No Genetically Modified Produce -- Producers may not sell genetically-modified produce. Produce grown from seeds, seedlings, bulbs, root stock, transplants, tubers or grafts which are the product of cell fusion, micro-encapsulation, macro-encapsulation, or recombinant DNA technology (including gene deletion, gene doubling, introducing a foreign gene, and changing the position of genes when achieved by recombinant DNA technology) may not be sold. This prohibition excludes exclusively traditional methods, such as breeding, conjugation, fermentation, hybridization, in vitro fertilization, and tissue culture.
 - 2. No Irradiated Produce -- Sale of irradiated food products is prohibited.
- G. Vendor Applications, Licenses and Permits
 - 1. New and returning vendors wishing to sell in the EFM must, prior to participation in the market, file an application with the market manager verifying that they are the actual grower or producer of the specific items which they intend to sell. Vendors must apply to sell at the market under one or more of the nine vendor categories, based on their primary products. Returning vendors wishing to expand into a new category must have their written application approved by a majority vote of the EFMAC.
 - 2. EFM will strive for a balance of vendor categories. New vendors will be selected to fit the needs of the market by a majority vote of the EFMAC.
 - 3. Additional vendors and vendor category changes will be added to the market at the beginning of each season, or as need arises, provided that the new vendor agrees to these rules and regulations and is approved by a

majority vote of the EFMAC. Reasons for adding a new vendor may include: a shortage of a particular product, adding diversity to the mix of products at the market, or the overall growth of consumer demand.

4. All vendors are required to obtain a City of Easton Business License.
5. City of Easton Health Permits are required for vendors selling prepared foods, meat or dairy products. It should be noted that vendors must make application for health permits in sufficient time for staff to review—a minimum of 14 days is required.

H. Vendor Representation

Four EFM vendors (3 farmers and 1 non-farmer) shall represent the EFM vendors as a whole on the EFMAC. These vendor representatives shall be selected annually by the market manager, subject to approval of the EFMAC. Vendors should take market-related concerns or disputes to one of the designated EFM vendor representatives and the matter will in turn be brought before the EFMAC. If two or more EFM vendor representatives disagree with a council vote, they may request that additional vendors be brought in to have their case heard before the council. If after the presentation by the vendors a second vote is held on the issue, the EFMAC majority vote will govern and become final.

I. Market Management

1. The market manager supervises the daily activities of the market, enforces the market rules, collects and maintains applications and copies of insurance coverage, serves as a contact for vendors and outside groups, collects fees and oversees all events, fundraising, promotion and advertising.
2. The market assistant manager oversees the EBT terminal and vendor cash-in during market operation, assists with market day operation, manages all aspects of volunteer coordination and performs farm inspections as needed.

J. Meetings

There will be an annual planning meeting of the EFMAC held the second Tuesday in January and an annual vendor meeting held on the second Tuesday in March. Other meetings will be held on an as-needed basis. EFMAC meeting minutes will be kept by the council secretary and vendor meeting minutes will be kept by the market manager.

III. GENERAL RULES

A. Permitted Items for Sale

1. Items allowed for sale shall include all types of locally grown or produced items, including fruits, vegetables, plants, herbs, cut flowers, baked goods, preserves, honey, cider, juice, meat, animal products and crafts.
2. Supplemental Products: EFM vendors in good standing are permitted to sell fruits or vegetables or other products from another local farm provided that the item(s) is not already for sale at the Easton Farmers' Market and is deemed by EFMAC to be in "limited supply." All vendors are required to contact market management prior to selling a non-produced product. Vendors are required to identify the product with clear signage indicating name and address of farm/business where the product was grown / produced.
3. Crafts: Crafts are subject to approval by the EFMAC and must be handmade by the vendor.
4. Preserves: Preserved items such as jams, jellies, sauces, canned goods, etc. must be custom made. Vendors are encouraged to use as much local product as possible.
5. Baked Goods: Baked goods must be produced from scratch by the vendor. If the baked goods contain fruits or vegetables, the vendor must use locally grown produce when they are in season locally. This rule does not apply to processed products. Vendors are encouraged to use as much local product as possible.

B. Market Licenses and Fees

1. The annual EFM Vendor's License Fee is \$125 per vendor space, payable on or before April 1st. Checks should be made payable to "Easton Farmers' Market" and sent to Easton Farmers' Market at 35 S. Third Street, Easton, PA 18042. Vendor applications are due before the annual planning meeting on the second Tuesday in January.
2. Vendors may purchase an Events-Only License which entitles a vendor to sell only during special events at the EFM and excludes vendors from the mandatory attendance rules of regular licensees. Events-Only vendors must purchase a City of Easton Business License and must comply with all other rules and regulations of the EFM. Events-Only vendors are not permitted to sell any items that directly duplicate what is being sold by other licensees. The cost of an Events-Only License is \$30 per event.

C. Regulatory Compliance

Vendors are personally responsible to be in compliance with all applicable local, state and federal regulations. These include, but are not limited to:

- pesticide licensing and safe use
- certification of scales by the department of weights and measures
- organic certification for products claimed to be grown organically
- state sales tax collected as required
- health and labeling regulations that apply to preserves, honey, cider, baked goods, canned goods, eggs, dairy products, meats, etc.

D. Operation of Market Stands

Vendors have the right to operate their stands as they choose after meeting the following minimum standards:

1. Vendors are required to have a tent. Vendors must ensure the safety of their display and tent. Tents must be weighted or tied down securely in windy conditions.
2. Vendors are required to have a professionally-made banner clearly listing the name and address of their farm/business. Banner should span the length of vendor's tent and be hung on the interior as a backdrop. Vendors are encouraged but not required to have an additional banner on the outside of their tent (facing traffic) in order to take advantage of the high volume of cars passing through the circle.
3. Vendors must display a laminated sign identifying the name and location of their farm/business, along with a photo of their farm/business operations.
4. Vendor attendance at the market is mandatory. Vendors will be limited to four (4) excused absences per market season. Vendors must contact the market manager about a planned absence two (2) weeks in advance of the date of absence so customers can be informed via website and in weekly e-mails. In the event of illness or unforeseen emergencies, the vendor should inform the market manager of their absence as soon as possible. Unexcused absences may result in the loss of license to operate in the market.
5. By majority vote of the EFMAC, individual vendors may have a different but regular attendance requirement as in the case of a single crop grower (i.e. strawberries)
6. Vendors will strive to sell only products of the highest quality and freshness in keeping with the market's desired image.

7. All vendors are responsible for cleaning up their market site at the end of the market day.
8. Prices for all items on display should be clearly marked with individual price tags, signs or large legible sign boards.
9. All pricing will reflect typical market value.

E. Location of Market

The EFM is currently held in the Circle (Centre Square) located between Third and Northampton Streets in Easton, PA.

F. Dates of Market

The market season is the first Saturday in May to the last Saturday in October.

G. Day and Times and Set-Up of Market

1. EFM operates on Saturday from 9:00 am until 1:00 pm. It is understood that the vendors may require at least one hour to set-up. All vendors are expected to schedule their arrival accordingly. All vendors must be set up and ready for business by 9:00 a.m. The market manager will keep a log of late arrivals and provide written warnings to the vendor for each instance of tardiness. After three late arrivals the issue will be brought before the EFMAC.
2. Vendors are required to remain set-up until the market closes at 1:00 pm unless prior permission (to depart early) has been acquired through the market manager. Leaving the market prior to the 1:00 pm closing time may result in immediate loss of vendor's license.
3. Vendors must put traffic cones behind their vehicle while loading and unloading in the circle. Vendor parking is available in the KNBT Bank lot on S. Third Street. Vendors should refrain from parking in Centre Square as to allow more spaces for customer parking.

H. Vending Space Assignment

1. Upon issuance of a license, the vendor will be assigned a 12' X 12' space in the Circle. Vendors have the first right of refusal to spaces occupied the previous season, but must express verbal or written intent to participate in the new market season by the January meeting in order to secure their space. Vendors will use the same space throughout the season.

2. New vendors will be assigned spaces that are available in such a way as to create a good product mix.
3. A maximum of two vendors may apply to share one vending space. Both vendors must complete an application form, although only one licensing fee shall be paid. Both vendors are required to follow all the rules of the market.
4. A single vendor may not purchase more than two vending spaces.

I. Educational and Community Activities

Space will be made available free of charge for market, educational, or community promotional activities as needed. This space must be booked with the market manager at least two weeks ahead of time and will be assigned at the discretion of the market manager.

IV. MARKET CERTIFICATION AND VIOLATIONS

- A. Market Certification: The EFM is a producer-only farmer's market. This is a guarantee to the consumer that this is a market comprised of local farmers and producers selling only what they grow on their farms or produce locally. The EFMAC reserves the right to inspect vendor facilities to verify the “producer-only” status of market vendors. The EFM will create an inspection committee to conduct inspections.
- B. Submitting a Complaint: Any complaint against any vendor regarding the origin of their produce or products, violations of association rules or any other matter, must be directed to the attention of the market manager in writing. Vendors may submit a complaint jointly.
- C. Complaint Resolution
 1. Upon receipt of a written complaint, or evidence of reselling, the market manager will bring the complaint before the EFMAC.
 2. The EFMAC will schedule a facility inspection or in the case of a crafter request a demonstration before the council.
 3. If the EFMAC deems there to be sufficient evidence indicating the products in question are not being produced by the vendor, the vendor will receive a written warning and be asked to immediately remove said products.
 4. Failure to comply will result in expulsion from the market

D. Vendor Harassment

No vendor may inappropriately approach, intimidate, or question the selling, growing or production practices of another vendor. All vendor concerns should be brought to the attention of the market manager. A formal grievance will then be brought before the EFMAC and/or the GEDP Board for discussion.

E. Disciplinary procedures

Failure to adhere to any of the market rules and regulations, after a verbal warning from the market manager, is grounds for immediate revocation of a license without refund of fees. The terminated member may apply in writing within seven (7) days for reentry. The GEDP will consider the request within two (2) weeks of receipt of the request. Response will be within 21 days of receipt of the request. It will require a two-thirds yes vote of the GEDP Board to reinstate.

V. **LIABILITY**

Although GEDP maintains insurance, the market does not provide any insurance to cover activities of vendors, their employees or agents. Each food vendor must carry a minimum of \$1,000,000 worth of liability insurance. Each farmer or crafter must carry a minimum of \$300,000 worth of liability insurance. All vendors must provide insurance riders listing the City of Easton (One S. Third Street, Easton, PA 18042) and Greater Easton Development Partnership (35 S. Third Street, Easton, PA 18042) as additionally insured for the duration of the market season (Saturdays, May through October). Proof of such individual insurance coverage must be received by the market manager each year before vendors will be allowed to participate in the market.

Easton Farmers' Market • 35 S. Third Street • Easton, PA 18042
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