



Farmers Market of the Ozarks Rules and Regulations

FMO Code of Ethics

As a vendor at FMO you are expected to:

- 1.) Represent market in a positive fashion at all times. Refusing to cause negative feelings among the membership, FMO staff, development and retailers.
- 2.) Vendors are allowed to participate in the market events, which included local spirits and food, as long as their actions are positive and display our market in a professional manner.
- 3.) Follow guidance and management protocol from FMO Board of Directors and staff.
- 4.) If a problem arises among a fellow vendor, customer or management, you are expected to conduct yourself in a professional and positive manner. Inform the market manager if troubles arise so that they can help you settle any issues in a timely fashion.
- 5.) Promote synergy throughout the marketplace, promoting neighboring vendors and retailers to customers.
- 6.) Work together with Farmers Park staff and retailers at the development.
- 7.) Follow all state and local health and city ordinances and treat all employees with these agencies with respect.

A place where:

- Community members understand the value of strengthening the local economy by supporting locally grown food.
- Local food growers and producers prosper by finding local marketplaces for their products
- Residents have access to high quality, nutritious, locally grown food.

Mission

Farmers Market of the Ozarks operates a vibrant farmers market that contributes to the success of local food growers and producers, strengthens the local food economy and serves as a community gathering place for the Ozarks region.

Values

1. **Sustainability:** Our market operates focusing on social, ecological and economic sustainability.
2. **Excellence:** Through combining innovation and business we create a beautiful, functional and exciting farmers market for the community.
3. **Fostering Relationships:** We strive to promote positive connections between local producers, and the community members who support them.
4. **Nourishment:** Local food is at the heart of the market and community, therefore we strive to provide access to fresh and nutritious food throughout the region.
5. **Education:** Our market believes it is our duty to educate the community about the value of locally produced products.

Our Rules & Regulations

Market rules, By-Laws and regulations are subject to change. The Board of Directors and Market Manager will notify all market vendors of any changes within one week of the decision. Notification will be provided through email and letters given to vendors at market.

1. General Market Rules

1.1. Market Management

- 1.1.1. The Market Manager has authority over all daily operations at the Farmers Market of the Ozarks.
- 1.1.2. Vendors must apply for market membership annually as outlined in article III of the market By-Laws.
- 1.1.3. All vendors, except non-profits, must have a Missouri sales tax number. Applications will not be accepted without a sales tax number listed. The appropriate state and city sales tax must be collected unless the seller has a state sales tax exemption certificate
- 1.1.4. As described in article XII of the Markets by laws, vendors will be subject to annual on-site inspections to verify that the vendor is growing their produce or making their product within a 150-mile radius of the Farmers Market of the Ozarks. Long season growers may be visited a second time during mid- or late-season.
- 1.1.5. Hours of Operation: Thursday, 4:00 p.m. to 7:00 p.m. (April- end of October) and Saturdays, 8:00 a.m. to 1 p.m., year round. The market will host a Pre-Thanksgiving and Pre-Christmas market each year.
- 1.1.6. The market bell will ring at opening time signaling that vendors may begin conducting business, no sales prior to opening bell are allowed. The exception is for customers that are carrying a red FMO VIP Shopping Bag, which may shop 30 minutes prior to the market bell ringing and concessionaire vendors.
- 1.1.7. The market manager may arrange a farm visit with a vendor at any time.
- 1.1.8. The market will maintain a maximum of 20% non-food vendors except during special events.
- 1.1.9. The market manager and Board of Directors shall make stall size and location assignments.
- 1.1.10. Market Manager will instruct vendors where to park trailers on market days.
- 1.1.11. All scales used at market must meet state regulations.
- 1.1.12. Use of electricity must be pre-approved by the market manager. Generators must be certified at 70 decibels or less and positioned at the rear of the space or in the bed of a vehicle.
- 1.1.13. Persons, who circulate false reports to upset, destroy or sabotage the operations of other vendors, the management, the board or the market shall be subject to expulsion from the Farmers Market of the Ozarks.
- 1.1.14. Complaints by a vendor against another vendor shall be submitted to the Market Manager in writing and signed by the complainant. The name of the complainant shall be kept confidential. If a farm visit is required to settle the dispute the market manager may require a good faith fee (to cover gas costs) from the complainant. If the complaint proves valid, this fee will be refunded. The Market Manager will consult the Board before any further action is taken.
- 1.1.15. Solicitation of all types is prohibited on market grounds unless specifically approved by the board of directors.
- 1.1.16. The Market Manager on duty will assign vendor stalls according to the tier in which the vendor paid for. Vendors pay for space under a specific tier, not stall number. Year round vendors will receive first placement, followed by day vendors.
- 1.1.17. It is the decision of the Market Manager to determine if the market curtains will be lowered or raised due to temperatures, precipitation, and wind; the manager will vet the membership to help determine this.
- 1.1.18. The Market Manager can determine smaller stalls and market arrangement during winter market months.
- 1.1.19. The Market Manager must be notified if the vendor will be attending market by Noon on Wednesday for Thursday market or by noon on Friday for Saturday market. If the vendor plans to attend market on a regular schedule, inform management, or if the vendor has been absent from market and plans to return the vendor should inform management. If the vendor does not inform management in sufficient time of the Market Brief going out, it's at the discretion of the manager if that vendor is allowed to sell at market that week.
- 1.1.20. All vendors must tie down tents on all four corners. If a tent breaks or blows-away, it will be the responsibility of the vendor to repay for the replacement of the tent.

1.2. Expectations of Vendors

- 1.2.1. Vendors should always have identification (Farm name and Business name) visible to customers and the Market Manager. All Vendors are expected to display the uniform market signage provided to them by the market.
- 1.2.2. Vendors must maintain a polite, kind, and courteous manner at all times towards vendors, board, market staff and customers.
- 1.2.3. Due to safety concerns, and good business practices, vendors are expected to occupy their stall until the market is closed. Vendors must be in their stall 30 minutes prior to the opening bell.
- 1.2.4. It is the responsibility of the vendor to warrant, refund or exchange merchandise that is deemed unsatisfactory. For each complaint the Market Manager receives, a warning will be issued to the offending vendor, which can result in suspension and expulsion from the market.
- 1.2.5. Each vendor shall maintain a clean and healthful condition within his/her area (from side to side & to the center of pavilion) and leave that area free of debris prior to quitting each market day
- 1.2.6. Each vendor should set his or her own prices. Prices should be set in keeping with customer satisfaction and consideration of other market vendors. All prices shall be clearly posted at all times.
- 1.2.7. Each vendor shall remove his/her own garbage unless other arrangement have been made, and approved by the market manager.
- 1.2.8. All products should be displayed in an attractive manner.
- 1.2.9. Vendors may not bring pets to the market.
- 1.2.10. The playing of loud music in vendor stalls will not be permitted, the Market Manager will determine if the music inhibits vendor and consumer communication.
- 1.2.11. Vendors may not conduct any business before the market bell rings.
- 1.2.12. Vendors and their employees shall maintain themselves in a clean, professional and attractive manner.
- 1.2.13. Vendor employees who sell at market should be knowledgeable about the produce or product they are selling. The market requires that, for a majority of the time, a principal in the business staff the booth.
- 1.2.14. All display tables must use table covers, which provide protection to the tables.
- 1.2.15. Vendors must comply with applicable state, local, and Health Department regulations. Copies of all required licenses must be provided to the Market Manager.
- 1.2.16. It is the responsibility of all vendors to assist in rolling curtains up/down each market day.
- 1.2.17. Vendor tokens must be turned into the HUB by 11:30 am on Saturdays and 6 pm on Thursdays to be paid the same market day. The hub will not take any tokens after these time frames.
- 1.2.18. Vendors will treat all market facilities and possessions with care and respect.
- 1.2.19. Every vendor will receive a yellow Farmers Park parking sticker that must be placed on the back window of their vehicle. Vendors are also responsible for providing the license plate, make and model of vehicle.
- 1.2.20. Vendor waste and trash must only be placed in the trash dumpster behind the pavilion, no trash from vendors is to be placed in the pink or metal development trash cans. Cardboard recycling is available in the trash dumpster area and glass recycling is available at the back porch of Metro Farmer.
- 1.2.21. Do not block the drive lane/street any longer than is absolutely necessary. Unpack your vehicle with product to your area, move your rig and then set-up. **Please be mindful of your fellow vendors.**
- 1.2.22. Vendors must minimize the parking spaces that you take up. On busy days, shorter trailers should be parked and unhooked with vehicles parked next to them. OR, rigs can be "stacked" horizontally with two truck/ trailer combos side by side. Large rigs need to unhook and park the truck in one spot. All vendors will park in designated vendor parking areas, as deemed by management.
- 1.2.23. If you require power, you need to bring at least 40' extension cord AND a power strip. ALL extension cords will need to be 3 prong commercial cords. FMO will not supply power strips.
- 1.2.24. WiFi is provided for free at market. See the Market Manager for the code.

- 1.2.25. If you sense extra space between your booth and the next closest booth to the center of market, please check with the Market Manager. The intent is to always consolidate vendors to the middle of market for shop-ability and attractiveness. Vendors will check the Market Brief before setting up a tent.
- 1.2.26. Absolutely NO vendors or market personnel will be permitted to leave their cars in customer parking.
- 1.2.27. **Vendor traffic in the pavilion and promenade flows one way, from the west to the east.** All FMO vendors MUST enter on the Houlihans side entrance. Vendors vending in promenade and in pop-up tents must drive between the pavilion and promenade, as the walkway is a one-way road.
- 1.2.28. Arrival - Noise, headlights, and security are all concerns for early arrival. Avoid or minimize backup beepers, shouting, etc. Help us respect our neighbors. If you arrive before 6:30 a.m.- turn your lights off so that you do not disrupt the houses behind the development.
- 1.2.29. Set-up begins an hour and half before opening bell. The storage units will not be open until then. Do not arrive until your timeframe to begin set-up.
- 1.2.30. Vendors must attend at least 30 market days to stay in good membership standing, unless you are a short-season vendor and have approval from the Membership Committee.
- 1.2.31. Fees will be collected for the following situations at market:
 1. Replacement of Market Signs: \$3.00 each for supplementation signs and/or homemade products signs if the vendor forgets their sign or loses it.
 2. Table Covers: \$15.00 rental per table cover if you don't have a table covering for all your product display tables. Available at the Market Hub.
 3. \$100.00 fine if the vendor tracks mud on the market pad or paved road and the vendor will clean up the mud and rocks from the pad and paved road.
 4. \$50 fine if a vendor vehicle or vendor staff vehicle is found in customer parking.

1.3. Allowable items for sale

- 1.3.1. All specialty crops, including cut and dried flowers, plants, nuts, value added products, honey, meats and eggs, which are produced by the vendor, are welcome at the market.
- 1.3.2. Value added products are allowed at the Market Managers' discretion.
- 1.3.3. Handcrafted items are allowed at the market managers' discretion and may be juried prior to acceptance.
- 1.3.4. The sale of Morels will be allowed while they are in season in a 150-mile radius of the Farmers Market of the Ozarks. All vendors wishing to sell Morels must have a letter from a mycology expert stating that the vendor is qualified to safely identify edible species of wild mushrooms or they must have the mushrooms inspected by a trained mushroom expert at the market prior to display.
- 1.3.5. No sales of live animals.
- 1.3.6. If a vendor is selling products labeled as "certified naturally grown", "certified humane", "organic", or "certified organic", the vendor must prove this labeling to the market manager and Board prior to selling at the market.
- 1.3.7. All value-added products must be labeled to meet any applicable Missouri Department of Health requirements.
- 1.3.8. Vendors may sell vendor branded materials, as long as these materials do not account for more than 15% of their overall sales.
- 1.3.9. Vendors must possess plants for at least 4 weeks prior to selling them at market.
- 1.3.10. Vendors who sell seeds must meet all state licensing, and permitting requirements.
- 1.3.11. The minimum time beef and bison are raised on a producers farm shall not be less than 6 months. Beef and Bison, which are to be sold at FMO, shall be purchased at weaning age.
- 1.3.12. The minimum amount of time a pork producer raises the end product on their farm shall be 4 months. Producer shall purchase the animal by 8 weeks of age.

1.4. Product Locality

- 1.4.1. Generally Items sold at Farmers Market of the Ozarks must be grown or produced within a 150-mile radius of the market. The Market Manager may make exceptions to the distance limitations after conference with and approval from the Board of Directors.

1.4.2. Exceptions will be approved only when items are not available locally, and the board believes the exception will benefit the market as a whole.

1.5. Supplementation

1.5.1. The Market Manager must approve all supplementation.

1.5.2. Unless the Market Manager makes specific exception, a vendor's daily product mix may include at most, 20% products purchased from other local growers.

1.5.3. Produce, which a vendor did not grow, must be clearly identified with standardized signage.

1.5.4. Unless the Board of Directors makes specific exception, supplemental produce shall be sourced from growers within a 150-mile radius of Farmers Market of the Ozarks.

1.5.5. The Board may change the maximum percentage of supplementation each year.

1.5.6. Decisions made by the Market Manager, and/or the Board of Directors regarding supplementation may be weighted by the following criteria: locality of source; local availability; quality; product supply and demand at FMO; whether vendor usually grows the product on their farm; expected impact on other vendors; and other criteria which may apply.

1.6. Sales of Complementary Items

1.6.1 Complementary items MUST enhance the salability of products normally offered by the vendor (examples: honey-stirrers with a jar of honey, apple slicers with fresh apples, etc.) and may ONLY be sold with the items they complement (as a set).

1.6.2 The Market Manager must approve all complementary items offered for sale.

1.6.3 Unless the Market Manager makes specific exception, a vendor's daily complementary items may not exceed 15% of daily sales.

1.6.4 Complementary items are subject to normal PODS. No other market fees apply.

1.7. PODS (percent of daily sales)

1.7.1. Each vendor is responsible for calculating and paying their PODS due for each market day. Vendors are expected to come to the HUB to pay their PODS and report gross sales every market day by 1:45 pm.

1.7.2. PODS shall be calculated for all payment transactions, which take place at market regardless of prior arrangements between vendor and customer.

1.7.3. Any sales after 1 p.m. will not count toward PODS calculation

1.7.4. PODS are not capped. (Vendors pay 3% of daily sales, 4% of daily sales if the vendor is a day vendor.)

1.7.5. Tier 4 daily vendors shall pay their daily fee when they pay their PODS.

1.7.6. A minimum of \$5 in PODS is due each market day.

2. Vendor Categories

Note: If a vendor in one category wishes to sell items, which fall under another category, they must first receive membership committee approval.

2.1. 100% Farmer

2.1.1. A vendor in the 100% farmer/grower category is a person who is responsible for both planting and harvesting the produce they sell whether or not they own the property they farm. The vendor shall sell only agricultural, horticultural, craft, art, or food items that they themselves have grown, produced or processed.

2.2. Locally Supplemented Farmer

2.2.1. A vendor in the Locally Supplemented Farmer category is a person who produces at least 80% of their own crops and sells up to 20% produce or plants bought from other local farmers who are growing within a 150-mile radius.

2.2.2. Vendors wishing to supplement must first be accepted into the market through the application process described in By Laws article III, then the vendor must submit to the board, an additional application for supplementation.

2.2.3. For verification purposes, vendors in this category must at the request of the Market Manager allow periodic on-site visits and produce all receipts from their supplementation suppliers.

2.3. Homemade Baked Goods and Processed Food

2.3.1. A vendor in this category is a person selling vendor-made food products manufactured and packaged prior to market day.

2.3.2. Persons involved in the baking shall sell baked goods, excepting non-profit bake sales (for example, girl scout cookies)

2.3.3. Food products must be manufactured completely by the vendor.

2.3.4. Products may be produced in a home kitchen, which has been approved through farm inspection. These products must be clearly labeled: "Made in a Home Kitchen."

2.3.5. All items sold in this category must be clearly labeled with a complete ingredient list.

2.3.6. As stated in rule 1.2.14 "Vendors must comply with applicable state, local, and Health Department regulations. Copies of all required licenses must be provided to the Market Manager."

2.4. Artisan and Crafter

2.4.1. A vendor in the Artisan and Crafter category is a person who makes non-food items for sale at market, and does not sell produce or food items.

2.4.2. A maximum of 20% of the entire membership may be artisans and crafters, except for Special Markets and deemed by the Market Manager.

2.4.3. Items sold in this category must be made by the person renting the market space, and the Market Manager may ask the vendor to demonstrate the making of their goods prior to approval for sale.

2.4.4. Application acceptance will be made based on quality, originality, creativity, and space availability,

2.4.5. All merchandise displayed and sold must be in good taste and appropriate for an open-air community market.

2.4.6. Handmade clothing should list fabric content and care instructions.

2.4.7. Handmade jewelry should list all metals used in the creation of the product.

2.5. Concession Vendor

2.5.1. A concession vendor is a person who produces ready to eat food items on site.

2.5.2. Board approval of concession vendors will be based on the uniqueness, flavor, quality, presentation, and value, of their product.

2.5.3. Concession vendors must meet all local codes and regulations for their business, and documentation to that effect must be attached to their application before it is considered for approval.

2.5.4. Concession vendors are required to operate a minimum of 18 times per year.

2.6. 100% re-seller

2.6.1. A re-seller is a vendor, who sells products, which they did not produce, and are not produced, by other market vendors.

2.6.2. No more than three re-seller memberships will be allowed at a time.

2.6.3. In order to be approved the products must be a compliment to the market as a whole.

2.6.4. The board of directors must approve any vendors applying in the re-seller category before they are granted membership.

2.6.5. Due to the high value position of being one of few resell vendors at the FMO, a rate of 4% of daily sales will be charged to resell vendors.

2.6.6. If a vendor is registered as a resell vendor, ALL sales in their resell booth at market will be subject to the resell percentage rate. This applies even to items the vendor may have produced.

2.6.7. Re-sellers are not subject to daily supplemental fees on non-fresh items, which they sell consistently and are approved to sell.

2.6.8. If a re-seller wishes to supplement the market with fresh items, all standard supplementation guidelines apply.

2.6.9. Re-sellers may NOT sell items, which they themselves do not produce if these items directly compete with items being produced by other vendors at the market. If a vendor begins producing an item after a resell vendor has begun selling a similar item, the re-seller vendor may be given notice by the market manager

and a limited period of time (determined by the manager but not less than 30 days) to sell through existing inventory and cease selling that item.

3. Special Events

3.1. The market will host special events which the Board of Directors approves

3.1.1. Vendors, who would benefit the market as a whole, but are not regular market vendors may be allowed to participate in these events with board approval. These vendors will pay a special events fee of \$30.

3.2. Non-profit organizations may be allowed to setup booths at the market with Market Manager approval. Depending on the circumstance, these organizations may or may not be required to pay a fee.

4. Set-up Process on Market Day

Saturday Market in Pavilion:

Stalls 200-208 (North pavilion row) 6:30 – 6:50 a.m.

Stalls 209-220 (north middle row) 6:40 – 7:00 a.m.

Stalls 221-232 (south middle row) 6:50 – 7:10 a.m. (This row can not begin to set-up until 6:50 a.m. bc it is the pull-through lane.)

Stalls 233-240 (south row) 6:30 – 7:20 a.m.

Promenade or Pop-Up Tents: 6:30 a.m.

**Any vendors that miss their timeframe for set-up will have to park and carry products to their spots. Pavilion vendors that miss their time, can park in the south parking area of the pavilion and carry product over to their spot. Promenade and pop-up tent vendors must park behind the promenade and carry product to spot if they miss their timeframe.*

Process For Pull-Through Vendors During Winter Market

To retain the heat inside the pavilion and make your market day more pleasurable, as well as our customers visiting market, these rules are implemented during vending in the pavilion during winter market.

The doorway awnings will be open during a specific timeframe for pull-through inside the pavilion during Winter Market. You can arrive earlier than or later, but market materials & product will need to be carried through the doors on the coldest days at market. See below protocol for Winter Market. This will ensure maximum heat retention inside the pavilion on the coldest days at market and is important that everyone work together to achieve this.

Morning Temps of 40 and Above

Heat will be turned on the morning of market and doorway flaps will remain open from 7:30 a.m. to 8:15 a.m. Any vendor arriving after 8:15 a.m. must walk all products through the east or west doors or can open up the doorway flaps.

Morning Temps of 40 and Below

All doors are closed, side panel flaps installed, heat turned on the night before market, as well as the fans placed on low. Doorway flaps will remain open from 7:30 a.m. to 8:00 a.m. Any vendor arriving after 8:00 a.m. must walk all products through the east and west door. No side panels can be opened on days like this and all vendors MUST use the doors to bring products inside the pavilion, unless they arrive early enough to drive through the pavilion and drop product off.

5.) Determining Market Stall Locations

All vendor's have paid for a tier one, two or three as part of their membership fees. Tier 1: Pavilion, Tier 2: Promenade and Tier 3: Pop-up Tent.

Each market the manager will email out a Market Day Brief that will list the stall assignments for the day,

temperatures, any new rules or procedures, event happenings and other important information so that all vendors will be informed. This email will be emailed the day before each market. (If you do not have email, it will be your responsibility to check-in with the Market Info Hub BEFORE setting up your stall for market to ensure you know all rules and specific location of your booth.)

Process for Filling Open Market Stalls

All vendors that have paid for a Tier 1 or Tier 2 stall will be given a stall in their tier as deemed by management on days in which their vendor is present and has informed management. If a vendor will not be present for market, they will inform the manager and the manager will find another vendor to upgrade to the open location. Vendor can upgrade from one tier for \$10 a day or two tiers for \$20 a day. Example: If a promenade vendor upgrading to a pavilion spot, the vendor will pay \$10, or if a tent vendor wants to upgrade to a pavilion spot it will be \$20 a day or \$10 for a promenade spot. If a spot is open next to a permanent vendor in the pavilion or promenade, the manager will offer an extra stall space to that said vendor for \$10 a day.

The manager determines vendor upgrades on the following: vendor membership number, electrical needs, vendor attendance and product mix. When there is an opening for an upgrade the manager will either call or email the vendor about the opportunity to upgrade, unless the vendor has informed the manager of their willingness to upgrade at anytime. Stall upgrade fees are eligible from April through the end of October.

Pricing Tiers at FMO

Vendors shall pay the membership fee at the Spring Annual Membership Meeting, as determined by the board of directors each year. Vendors selecting Tiers with additional fees will pay those fees at a date established by the board later in the market season.

Dual Stalls at FMO

Any vendor wishing to have dual stalls must have an average weekly gross of \$950, attends market at least 35 times and is deemed by the membership committee to justify two stalls. This vendor will pay double the amount per tier.

Annual Vendor Number

After a vendor has paid their annual membership dues all vendors will be allocated points as part of the annual Weighted Scale based on original vendor number, sales averages, attendance, and vendor conduct from the previous year's data.

All vendors will be ranked and vendor number will be assigned to determine choices for Tier 1 and Tier 2 stall. The vendor number will be used in the manager's system to determine stall preference.

The market management shall make best efforts to develop and maintain a system, which shall be approved by the board each season, to allocate stalls to vendors consistently and according to their stall preference as determined by the annual stall selection process. Final stall assignment on market day shall be in the acting market manager's sole and absolute discretion each market day.