



## Fitchburg Center Farmers' Market

### 2022 Policy, Procedures & Rules

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#### Mission

The Fitchburg Center Farmers' Market has been founded to pursue the following goals:

- To give growers and producers of Wisconsin agricultural commodities and other farm-related products alternative marketing opportunities.
- To promote the sale of Wisconsin-grown farm products.
- To provide an opportunity for Fitchburg farmers and farmers from neighboring communities, and residents/visitors of Fitchburg the ability to deal directly with each other and thereby get to know and learn from one another.
- To enhance the quality of life in Fitchburg by providing a community activity that fosters social gathering and interaction.
- To preserve Wisconsin's unique agricultural heritage and the historical role which farmers' markets have played.

#### Philosophy

The Fitchburg Farmers' Market is an outlet for Wisconsin-produced homegrown fruits, vegetables, meats, cheese, eggs, bakery products, cider, syrup, honey, fresh and dried flowers, herbs, houseplants, preserves, soaps, and other fresh prepared food products. The Market is intended to give growers or producers off goods and consumers an opportunity to deal directly with each other. The Market provides an outlet for the growers or producers of very small quantities of eligible products as well as for larger concerns.

Thank you for your interest in the Fitchburg Center Farmers' Market. Let us work together to make it a success.

#### Market Operations

The Market will be open Thursdays from 3 p.m. - 6 p.m., May through October. Participating Sellers shall adhere to the following Schedule:

Note: **Vendors need to be set up and ready by 2:45 p.m. and are not allowed to leave before 6:00 p.m. unless in extenuating circumstances or as previously approved by Market Manager.** Severe Weather conditions may arise suddenly and necessitate the closing of the Market for the safety of the vendors and the market customers. This determination will be made by the Market Manager based on available information. A weather Radio will be available at the Market site.

### **Seasonal Stall Vendors**

Set Up 1:00 – 2:45 p.m. Seasonal stalls may be set up at this time in assigned areas (single stall is 10' in length, double stall is 20' in length). The tent stall of any seasonal stall who does not arrive at the market by 2:30 p.m., may be given to a previously approved daily stall applicant by the Market Manager on a first-come, first-serve basis. If the Seasonal stall permit holder arrives later, he/she must report to the Market manager to have a stall assigned, if available, unless previously approved for late arrival. **If a seasonal vendor knows ahead of time that he/she will be absent, they MUST CALL or EMAIL the Market Manager or the Fitchburg Center Office at 608-277-2592 by 10 AM of Market Day. Attendance is very important for consistency of selection, and for repeat customers that depend upon your attendance— Please make every effort to attend all markets when you have product available.** Repeat violations will be noted and subject to penalties including a \$10 fine/Occurrence, loss of assigned stall, or expulsion. Penalties will not apply to seasonal availability, emergencies or planned absences discussed with Manager ahead of time. Every effort will be made to keep the stall assignment the same from year to year for continuity purposes.

Seasonal Stall Permits are typically issued once a year at the beginning of the season. Seasonal stalls will be assigned a location within the pavilion for the entire season. Stalls will be granted based on seniority, and then on a first-come, first-serve basis until demand exceeds supply. The Marketing committee will be responsible for assigning stalls.

### **Daily vendors**

Daily stalls may be set up on a first-come, first-serve basis. The Policy of first-come, first-serve is interpreted to allow for a fair, orderly and courteous system. All daily vendors must report to the market manager upon arrival to have their stall assigned and pay the daily fee \$25 before they will be allowed to set up. Daily Vendors must be set up and ready to sell by 2:45 p.m.

### **Parking**

Vendors on the outside ring may pull “tailgate in” up to their assigned stall for unloading/operating purposes. Those vendors who are on the inner ring may temporarily pull in close to their stall when possible, and then move their vehicle down the street, leaving premium spaces along the street for customers.

### **Tables**

**Vendors must provide their own tables & chairs.** Table arrangement for a single stall shall not exceed 10' in length (20' if double stall). A safe clearance of 1' must be maintained between vendors to allow for proper clearance between tables. **Public seating areas are for customer seating only and not farmer staffing needs or storage areas.**

Note: Vendors are encouraged to provide supplemental information at their tables that may assist or bolster the sales at the market such as farm signs, displays, recipes, samples, delivery options, etc. This is up to the individual vendor. The Market Manager reserves the right to judge such displays for appropriateness to the atmosphere of the entire market.

### **Attendance**

Seasonal Vendors and/or their assigned qualified helpers are expected to attend each and every Market as weather, product, and emergencies permit. Customers come to expect certain products when in season and become disappointed when offerings are not available that they have become accustomed to getting at the Market. In fact, unexcused absences can be considered detrimental to the overall operations of the market and a sign that a vendor is not committed to the operations of the Market. **Advanced knowledge of planned absences is key in communicating with regular customers of the market and helping them understand why they may not be able to get a certain product.** It is understood that some vendors will not be able to attend every market due to availability of products and planned personal activities. Planned absences should be communicated in advance to the Market Manager or Fitchburg Center prior to the date the vendor will not be present. If no advanced notification has not been

communicated to the Market Manager or Fitchburg Center (608-277-2592), the absence will be noted. Uncommunicated absences will be considered when applications for the following season are reviewed. **If you are unable to attend a market, an email or phone call to the Market Manager is requested by the Monday before or in the event of an emergency, as soon as possible.**

### **Attire**

All vendors and assigned qualified helpers must present themselves in a way to not be offensive in nature to other vendors or our market customers. Vendors and their clothes should be clean in appearance upon set-up for the market. Please take weather conditions into consideration. See-through clothing, Bikini's and Swimsuits are not acceptable attire. Shirts/Shoes must always be worn on site and during market hours. Promotional items and attire reflecting your business and vocation are permitted. No obscenities on clothing will be permitted.

### **Clean Up**

All vendors are expected to dispose of all garbage properly in designated receptacles or take back home with them to dispose of. This includes all bags, packaging, produce, and any other products brought for sale or used in display of products. Do not leave anything behind on the woodchips as it will look unsightly and degrade which leads to smell and pest issues at the Pavilion.

### **Rules Applicable to All Vendors**

1. All sellers must abide by, and all products must comply with all federal, state and local regulations governing health, packaging, labeling, taxes, scales, weights and measures, etc. For more information contact the Permit Information center at 1-800-435-7287.
2. It is the responsibility of the vendor to obtain and provide copies of all licenses and permits required for the sale of his/her product at the Market, and along with the "Application for Permission to Sell" to the market Manager at Fitchburg Center, 2800 S Fish Hatchery Road, Fitchburg, WI 53711.
3. All Samples offered by vendors must meet the following criteria.
  - Samples must be stored in rigid, covered containers until serving.
  - All samples must be pre-cut away from the sales unit
  - All samples of processed foods must be prepared in a licensed kitchen facility.
  - Samples should be of adequate size and proportionally spaced to minimize customer handling.
  - All samples must be held and dispensed under clean and sanitary conditions (i.e. toothpicks)
  - All vendors giving free samples must provide a waste container in a prominent place and labeled for use by the public.
4. Displaying products which cannot be sold at the market in the displayed form is acceptable, but the display items must be clearly marked not for sale. Displays must incorporate only products which can be sold at the market on that day.

### **Vendor Rules**

All individuals whose goods are in compliance with the Fitchburg Center Farmers' Market Policy, Procedures and Rules, and who wish to participate in the Market as vendors will be required to complete an "Application for Permission to Sell" form and submit with the application all applicable licenses pertaining to food processing establishments and all other required permits. A vendor will not be allowed to participate in a market without submitting a completed application to the Market Manager and obtaining the approval of the marketing Committee. **In no event may a vendor sell on the same day as an application is submitted, unless approved by the majority of the Marketing Committee.** Those vendors proposing to sell items which require licenses or permits must have these licenses or copies of the licenses available for inspection

before these individuals will be allowed to sell such items at the Market. The Market requires copies be sent before the date the vendor proposes to sell such items in order to facilitate the application process. Vendors whose applications for permission to sell are approved will become members of the Market. At the discretion of the Marketing Committee those vendors who are not approved may be added to a waiting list in the event that they can become a member at a later date.

A seasonal Member or qualified helper as listed on the application must be present at each market in order to exercise permit rights. Failure to have a seasonal member or qualified helper at the stand will result in the non-member vendors not being able to set up.; if they have already set up, they will have to pack up and leave immediately.

One membership is issued to an individual or to a group of individuals. To be eligible to share in a membership, each qualified helper must:

- Be listed by name and address on application.
- Have substantial participation in the actual production of the product at a shared location(s) which is (are) described on the application.
- Have at least 20% ownership interest in the entire enterprise. The business form and percentage of ownership of all named co-members shall be described on the application. Membership privileges include seniority and the right to sell at the Market.

#### **Fees**

Fees will be charged to help pay for the marketing and operations expenses. Fees for the 2022 market season are an application Fee and Facility Use Fee of \$115 in addition to \$190/seasonal single stall or \$380/seasonal double stall. We also offer a \$25/daily stall per day. Fees for seasonal vendors must be accompanied by their application fee and seasonal stall fee. Stall fees will be promptly returned to the applicant if the applicant is denied.

#### **Produce Rules**

**All produce must be grown, gathered and produced and or processed in Wisconsin by the vendor.** All processed foods must be properly labeled in accordance with State and federal labeling laws. All containers must comply with State laws. **Purchasing items from other vendors or producers for direct resale at the Farmers Market is not allowed.** Any vendor found to be purchasing items for resale will lose their right to attend the Market and not be allowed to return to the Market.

#### **Inspection**

Representatives of the market shall have the right to conduct an inspection of the production areas of those products sold by a vendor at the market. Notification or No notification may be given prior to inspection. An inspection may include ownership information or any other information relevant to determining product legitimacy. Failure to allow such an inspection shall constitute a violation of market rules.

#### **Market Policies**

##### **Potentially Hazardous Foods**

Potentially hazardous foods are so defined by the Department of Health: "Potentially hazardous foods mean any food which consists wholly or in part of milk, milk products, eggs, meat, poultry, fish, shellfish, edible crustacean or other ingredients, and which is capable of supporting rapid and progressive growth of pathogenic, infectious or toxigenic microorganisms." It is the responsibility of the vendor to abide by the Department of health guidelines concerning the vending of such products. If a vendor is deemed to be in violation of health codes he or she will be notified and asked to comply. If a vendor refuses or cannot comply, he or she will be asked to leave the market and not return until they are able to comply with set health codes.

### **Smoking**

**Fitchburg is a smoke free community - Smoking under the Pavilion is illegal and will not be allowed as per DILHR regulation 62.46(2).** Smoking is only allowed in the public right of way (street, curb).

### **Insurance**

Vendors are responsible for their own personal and product liability insurance.

### **Vendor Conduct**

Vendors shall conduct themselves in a manner that is courteous to other Vendors, Market Personnel and the Public. Behavior that is threatening, abusive or harassing shall constitute a violation of Market Rules.

### **Covenant to Hold Harmless**

The vendor, in consideration of participation in the Fitchburg Center Farmers' Market, agrees to hold Fitchburg Research Park Associates, LP, Orion Seven, LLC and Promega Corporation and their agents, officers, directors and employees harmless from and against any and all claims, causes of action, demands, debts, damages, judgments, cost or expenses (including attorney fees), or other losses of any nature or kind arising from, relating to, or in any manner connected with Market activities.

### **COVID-19 Checklist for Farmers Market**

**We are committed to following the orders from Public Health Madison & Dane County for the safety and well-being of our producers and customers. The Fitchburg Center Farmers' Market Policy, Procedures & Rules are subject to change without notice and in accordance with new COVID-19 regulations.**

All of the following may be required to operate safely during the COVID-19 Pandemic.

- Food Samples subject to Dane County Health Regulations.
- Vendors must be placed 6 feet or more from each other.
- Prevent customers from standing within 6 feet of each other.
- Unpackaged self-service foods like produce are allowed.

### **Resource Contact Information**

**Weights & Measures, Department of Agriculture, Trade and Consumer Protection (DATCP)**

Email: [datcpweightsandmeasures@wi.gov](mailto:datcpweightsandmeasures@wi.gov) Phone (608) 224-4942

**Information on Licensing, Inspections, Food Safety, and Processing**

Email: [datcpweightsandmeasures@wi.gov](mailto:datcpweightsandmeasures@wi.gov) Phone 608-224-4923

**Women, Infants & Children (WIC) Farmers Market Nutrition Program**

Email: [DHSWICFMNP@wisconsin.gov](mailto:DHSWICFMNP@wisconsin.gov) Phone: 608-266-9824

**Wisconsin Department of Revenue – Sellers Permits**

Register at <https://tap.revenue.wi.gov/btr/> / Phone: (608) 266-2776

**Wisconsin Nursery Grower/Dealer Information**

<https://datcp.wi.gov/Pages/Homepage.aspx> Phone: 608-224-5012