

## Downtown Elizabethton Farmer's Market Rules

1. The market will be in operation every Tuesday from June through September on the following days and times (season and hours may be adjusted or extended by the D.E.F.M. Board of Advisors):

- Tuesday, 4:00pm to 8:00pm
- Vendor Set-up, Tuesday, at 3:00pm
- Vendors are permitted to set up later than 3:00pm if necessary, with permission from the Market Manager

2. The seasonal fee (reserved) for each 12'x10' booth space will be \$50.00. This fee includes 17 weeks in the market, a \$68.00 value. The daily fee (first-come) for each 12'x10' booth space will be \$4.00 per day. Fees are payable in cash or a good check to the Market Manager. Address checks to: Elizabethton Carter County Chamber of Commerce, with attention to the DEFM. The penalty for bounced checks is subject to be charged in the amount of two-times the amount of the check.

3. Trading among fellow vendors is allowed, but vendors are encouraged to wait until after market hours to begin trading.

4. Vendors must be farmers that reside in Carter County or in a county directly adjacent to Carter County. Re-sellers of only non-local (outside of the aforementioned counties) products are not allowed to sell at this market. However, farmers or re-sellers whose product mix is at least 75% home-grown or locally sourced may sell. Vendors should be prepared to verify to the market manager the source of all products for sale in their booth. Misrepresentation of "Carter-County Grown" or "Locally/Home Grown" products is cause for the vendor's automatic expulsion from the market.

5. All vendors must display, within sight of customers, a sign or banner that states their farm or business name, and the area in which it is located. For example: "Elysium Farm, located in Elizabethton, TN." Vendors are also strongly advised to have at least one social media page (Facebook, Instagram, ect.) that can be used to self-promote. If a vendor needs help in setting a page up, they may ask for assistance from the DEFM Board.

6. Vendors may sell from the back of pick-up trucks, but only from within their assigned space, and with special permission from the Market Manager. For example, large loads of corn/pumpkins that are too heavy to be unloaded. Vendor vehicles that are not parked within the 12'x10' space assigned to them must park their vehicles in the lot designated for vendor parking. No overnight parking is allowed.

7. The following items may be offered for sale at the Market: fruits, vegetables, farm-fresh eggs, herbs,

plants, flowers, honey and other farm products,(including a maximum amount of 10% total hand-crafted and non-food items per booth), which are to be approved in advance by the market manager. Live animals may be advertised at individual booths for off-site sales but live animals are not allowed in the market. Baked goods, jellies, jams, breads, and other non-hazardous foods are allowed to be sold without a Domestic Kitchen License, as long as the vendor's kitchen can pass the Market Manager inspection and the vendor strictly adheres to the Cottage Law. Prepared eggs, and all dairy and meats that have been prepared in legal, licensed, approved and inspected facilities by the Tennessee Department of Agriculture or USDA are allowed. Proof of inspection is required and must be prominently posted in the booth. Alcoholic beverages, tobacco products, illegal substances, and firearms cannot be sold at the market.

8. Daily vendors must check in with the market manager and be assigned a booth space prior to setting up.

9. Sales must be made in an orderly and businesslike fashion. Shouting, hawking, and other loud and disruptive tactics of solicitation are not allowed. No loud music/radio, and no profanity is allowed.

10. No products sold for consumption may be displayed on the ground or concrete. All produce/prepared goods must be displayed at least three feet off the ground.

11. Each booth space should be kept clean and free from offensive odors. All trash must be placed in designated trash bins.

12. Tables, scales, bags, sacks, boards, shelves, baskets, signs, tents, containers, chairs, and monetary change must be provided by the vendor. Scales must be certified by the Tennessee Department of Agriculture and must be posted as approved.

13. Applicable sales tax is the responsibility of the vendor.

14. A single vendor booth may not be shared by more than five independent growers, farmers, or vendors.

15. No pets are allowed in the vendor booth spaces. If customers bring a pet with them to shop, vendors must refrain from touching the animal. If a vendor touches a pet/animal before or during market hours they are to immediately sanitize their hands by washing or by using hand sanitizing products, not provided by the Market.

16. No smoking or vaping in the designated market lot.

17. Booths must be completely cleaned and vacated within two hours after market closing time, unless special permission is given by the market manager ahead of time. Vendors cannot depart until the market manager has checked their booth for cleanliness, received the vendor fee, and approved them to leave.

Failure to comply will result in a \$20 fine.

18. The market facility is accessible for the disabled. All vendors should assist in maintaining a safe environment for all customers.

19. Vendors will set their own prices. However, vendors using the market as a dumping ground for surplus product as prices significantly lower than prevailing market prices is not allowed.

20. Vendors are required to provide the market manager with a daily sales summary after each market, if it is requested of them.

21. Intentional price undercutting and aggressive advertisement is not allowed. Price differences of “more than half the price of the highest priced item” will be evaluated by the Manager, and vendors may be asked to consider changing their prices. For example: Tomatoes at one booth are for \$3.00 per lb, while the booth next to them has tomatoes for \$1.25 per lb. This difference is greater than half of the highest price, and is harmful to the sales of other vendors. This can be considered “undercutting”.

22. All complaints must be reported via signed letter or email, and addressed directly to the market manager.

23. All produce and craft items must be sourced or produced from within 100 miles of the market's location, and 75% must be home-grown or locally sourced within the approved counties. Vendors are encouraged to provide only high quality products. Vendors may supplement their booth with up to 10% local craft items. The craft items are to be approved in advance by the manager.

24. Vendors are responsible for product liability and personal injury, and are encouraged to carry appropriate insurance in order to protect themselves.

25. Enforcement of market guidelines is the responsibility of the market manager. Any vendor who is found not in compliance with any of the above guidelines will:

1. Receive a verbal and/or written warning from the manager.
2. If the warning is not heeded, the vendor will be removed from the market and will not be allowed to return to the market unless re-approved by the board of advisers.

26. All concerns or complaints regarding the rules of this market shall first be discussed with the market manager. Vendors have the right to a hearing before the available members of the board of advisers within two weeks of a written request to the board chairperson, but only after a meeting with the manager.

27. Vendors are required to attend at least one vendor education program hosted by the Downtown

Elizabethton Farmer's Market Board of Advisers.

28. All farmland, gardens, greenhouses, livestock facilities, kitchens, or any other area involving the production of merchandise to be sold at the market are subject to be inspected by the market manager or another approved inspector. Vendors must set an appointment for inspection if it is requested by the manager, and allow the manager access to their facilities. Vendors have the option of submitting a letter of recommendation by an approved market's manager. (Contact DEFM Manager for more information.)