



# DRAFT VENDOR HANDBOOK

## Fishers Farmers Market 2023



## **Fishers Farmers Market Peak Season 2023**

Fishers Farmers Market at the NPD: May 6 – September 30, 2023

Fishers Farmers Market at Saxony: June 7 – August 30, 2023

### ***Vendor Information and Regulations***

The **mission** of the Fishers Farmers Market is to provide a venue where local farmers, producers, and food-inspired businesses come together to offer a variety of fresh local produce, plants, and locally crafted food and food-inspired products directly to the Fishers community.

Our **vision** for the Fishers Farmers Market is:

- Local food-inspired growers, producers, and businesses will prosper by providing a local marketplace to sell their products and where consumers can talk directly to the grower;
- Fishers residents will have access to high quality, nutritious, locally grown food, and experience the health-giving effects of that freshness;
- Residents will understand the value of strengthening the local economy by purchasing locally grown food;
- To grow, nourish, and inspire the Fishers community.

The Fishers Farmers Market is organized and managed by the City of Fishers, Parks Department.

The Fishers Farmers Market strives to be a producer market. This means we give priority to vendors who grow or produce the products they sell. However, to enhance the market experience and service for our many loyal customers, we allow a mix of grow it, raise it, make it, and bake it vendors.

**These regulations are important to the safe and successful operation of the Fishers Farmers Market. Failure to abide by the rules may be cause for expulsion from the market.**

All questions, comments, suggestions, and concerns related to the Fishers Farmers Market should be directed to the **Parks Department**.

Fishers Parks  
Office: 317-595-3150  
Email: [parks@fishers.in.us](mailto:parks@fishers.in.us)  
8100 E. 106<sup>th</sup> Street Suite 150  
Fishers, IN 46038

## Contents

<b>SUMMER MARKET DATES 2023</b> .....	3
<b>MARKET PROGRAMS</b> .....	4
<b>PRODUCTS PERMITTED FOR SALE</b> .....	4
<b>PRODUCTS THAT MAY NOT BE SOLD</b> .....	4
<b>VENDOR APPLICATION PROCESS</b> .....	5
<b>VENDOR PARTICIPATION OPTIONS AND FEES</b> .....	6
<b>VENDOR SELECTION CRITERIA</b> .....	6
<b>PERMITS AND LICENSES</b> .....	7
<b>ORGANIC CERTIFICATION</b> .....	7
<b>FARM/SITE VISITS</b> .....	8
<b>ATTENDANCE AND TARDINESS</b> .....	8
<b>BOOTH SPACES AND EQUIPMENT</b> .....	8
<b>TENT WEIGHT REQUIREMENTS</b> .....	10
<b>SET-UP AND TEAR-DOWN</b> .....	11
<b>SELLING AT THE MARKET</b> .....	11
<b>VENDOR MEETINGS AND WEEKLY EMAILS TO VENDORS</b> .....	12
<b>GROSS SALES REPORTING AND VENDOR SURVEYS</b> .....	12
<b>FOOD SAFETY</b> .....	12
<b>FIRE SAFETY</b> .....	13
<b>VENDOR CONDUCT</b> .....	13
<b>COMPLAINT POLICY AND PROCESS</b> .....	13
<b>INSURANCE REQUIREMENT</b> .....	14
<b>ADVERTISING AND MARKETING</b> .....	14
<b>VENDOR PHOTO RELEASE</b> .....	14
<b>WEATHER AND CANCELLATION POLICY</b> .....	14
<b>VENDOR REGULATION VIOLATIONS</b> .....	15

## **SUMMER MARKET DATES 2023**

### **NICKEL PLATE DISTRICT**

- Saturdays 8 am to 12 noon
- First day of the NPD market is May 6, 2023
- Last day of the NPD market is September 30, 2023

<b>MONTH</b>	<b>DATES</b>	<b>SPECIAL EVENTS (SUBJECT TO CHANGE)</b>
May	6, 13, 20, 27	May 6 – Opening Day May 13 – Hope for Happiness
June	3, 10, 17, 24	June 10 – Imperfect Produce Day June 24 – <i>Spark!</i> Fishers Independence Day event (Farmers Market location moved to Central Green. More information to be provided to vendors at vendor meeting.)
July	1, 8, 15, 22, 29	July 8 – Biz Kidz Market July 22 – Non-Profit Day
August	5, 12, 19, 26	August 6 – National Farmers Market Week August 26 – Health and Wellness Day
September	2, 9, 16, 23, 30	September 2 – Safety Day September 30 – Closing Day

## **SUMMER MARKET DATES 2023**

### **SAXONY**

- Wednesdays 4:30 pm to 7:30 pm
- First day of the Saxony market is June 7, 2023
- Last day of the Saxony market is August 30, 2023

<b>MONTH</b>	<b>DATES</b>	<b>SPECIAL EVENTS (SUBJECT TO CHANGE)</b>
June	7, 14, 21, 28	June 7 – Opening day June 21 – Safety Day
July	5, 12, 19, 26	July 5 – Pup Parade July 19 – Ice Cream Sandwich Day
August	2, 9, 16, 23, 30	August 9 – Fly a Kite Day

***Please note: The Farmers Market at the AMP shares the space with other events. Vendors may be moved, if necessary, in order for other events to be set-up and ready to execute after the market.***

## MARKET PROGRAMS

The Fishers Farmers Market conducts a variety of special events and programs throughout the season, including, but not limited to:

1. **Market Bucks**
  - a. Market Bucks are wood coins distributed by the Fishers Farmers Market staff and volunteers, under direction from the Parks department, for promotional activities and are worth \$1 each. Market Bucks will be distributed to kids participating in the Farm Hands children's program, for gift certificates, and other giveaways, etc.
  - b. All vendors are expected to accept Market Bucks and will be given a sign to display at their booth.
  - c. Market Bucks work just like cash and can be used to purchase anything except wine and other alcoholic beverages.
  - d. Vendors will be reimbursed by the City of Fishers for any Market Bucks they receive. Complete information about reimbursement will be provided to vendors prior to the first market date.
2. **Farm Hands:** The Farm Hands children's program includes educational activities, demonstrations, interactions with local food growers, and challenges to try fresh market produce. The Farm Hands program is planned and conducted by Parks staff and volunteers. Vendors may be asked to support or participate in various Farm Hands activities on occasion.
3. **Special Event and Theme Days:** Special events and theme days bring additional excitement to the Market, draw in new customers, and provide an opportunity for specialty exhibitors to participate in the market. Market vendors are asked to support and participate in these special event days.

## PRODUCTS PERMITTED FOR SALE

The Fishers Farmers Market provides a venue for selected growers and food entrepreneurs to sell what they raise or produce directly to the public. All products sold at the Market must be grown, raised, or made in Indiana (unless otherwise noted in this handbook).

Vendors at the Fishers Farmers Market must reside in Indiana.

Vendors must list each product they wish to sell at their booth during the market season on their application. **Products not listed on the application may not be sold at the market without pre-approval from the Parks Department.** Any additional products must be approved at least two (2) weeks in advance of when the vendor wishes to bring the product to market. **A vendor may not necessarily be approved to sell all types of products for which they apply.**

The Parks Department has the authority to prohibit the sale of any product that does not conform to Market standards.

## PRODUCTS THAT MAY NOT BE SOLD

The Fishers Farmers Market will not accept the following items/vendors:

1. Arts/crafts, services, or merchandise of any kind. (Handmade items are accepted at the Saxony Market only.)
2. Dietary supplements, vitamins, etc.

3. Food items not grown, produced, and/or processed by the vendor. Home-Based Vendors (HBV) are accepted; however, vendors who use commercial kitchens are considered first. Home-Based Vendors **MUST** be ServSafe Certified and **MUST** submit their certification during the application process.
4. Non-food items not grown and processed by the producer (flowers, soap, lotion, beeswax candles).
5. Any product not produced in Indiana (unless an approved Specialty Food).
6. Beverages not produced by vendor business (canned soda or juice, energy drinks).
7. Carnival foods such as: hot dogs, corn dogs, cotton candy, funnel cake, donuts, kettle corn, taffy, etc. unless grown and produced by the vendor.
8. Nationally/internationally distributed products (defined as distribution to 10 or more states).
9. Farmed salmon or salmon products (must be wild caught).
10. Businesses that operate under a franchise agreement.

## **VENDOR APPLICATION PROCESS**

To apply for the Fishers Farmers Market, interested vendors should:

1. **Read this Vendor Handbook carefully** to make sure your products qualify, and you can abide by the rules and regulations of the Market.
2. Complete and submit the Vendor Application:
  - a. Applications for the Fishers Farmers Market are accepted via the City of Fishers Parks Department website at <http://www.playfishers.com/188/Fishers-Farmers-Market>. Prospective vendors may also request a paper copy of the application by contacting the Parks Department.
  - b. All prospective vendors must submit a completed application form, even if they have been a vendor at the Fishers Farmers Market before.
  - c. Be very clear about what you plan to sell and list ALL items on the application.
  - d. Please also submit copies of all other documentation required for the products you wish to sell, such as egg permits, organic grower certification, etc.
3. The Fishers Farmers Market reserves the right to schedule vendors according to the demand for their product, number of vendors selling the same product, and number of spaces available. Every effort will be made to accommodate each individual vendor's requested schedule, but requested schedule is not guaranteed until confirmed by the Parks Department.
4. All vendors must be approved **before** they are permitted to sell at the Fishers Farmers Market. Vendors are **not** selected on a first-come, first-served basis. Vendor selection criteria (see below) are designed to keep the market fresh, interesting for visitors, and profitable for vendors.
5. The Fishers Farmers Market does not offer exclusivity for any vendor, company, brand, or products sold, except for the City of Fishers.
6. All vendors are required to comply with the Fishers Farmers Market rules, policies, and guidelines described in this Vendor Handbook. Acceptance to the market as a vendor and continued market attendance is based on vendor's compliance with the market rules.
7. Vendor applications must be received by **February 10, 2023**. Vendors whose applications are received after the closing date may not be considered.

## **VENDOR PARTICIPATION OPTIONS AND FEES**

The options and fees for vendor participation are:

### **Saturday Market at the AMP**

#### **1. Full-time**

- a. Vendor must commit to attending all market dates for the season. Vendor may request up to two (2) excused absences on the application form. Exceptions will be made for farm vendors whose products are only available for part of the market season (such as berries, sweet corn, etc.)
- b. Full-time fee is \$500 per 10' x 10' vendor space for the season.

#### **2. Half-time**

- a. Vendor may request 1<sup>st</sup> and 3<sup>rd</sup> Saturdays or 2<sup>nd</sup> and 4<sup>th</sup> Saturdays. Every effort will be made to accommodate each individual vendor's requested schedule, but requested schedule is not guaranteed until confirmed by the Parks Department.
- b. Half-time fee is \$350 per 10' x 10' vendor space for the season.

### **Wednesday Market at Saxony**

#### **1. Full-time**

- a. Vendor must commit to attending all market dates for the season. Vendor may request up to two (2) excused absences on the application form. Exceptions will be made for farm vendors whose products are only available for part of the market season (such as berries, sweet corn, etc.)
- b. Full-time fee is \$250 per 10' x 10' vendor space for the season.

#### **2. Half-time**

- a. Vendor may request 1<sup>st</sup> and 3<sup>rd</sup> Wednesdays or 2<sup>nd</sup> and 4<sup>th</sup> Wednesdays. Every effort will be made to accommodate each individual vendor's requested schedule, but requested schedule is not guaranteed until confirmed by the Parks Department.
- b. Half-time fee is \$125 per 10' x 10' vendor space for the season.

#### **3. Once per month**

- a. Vendor may request 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, or 4<sup>th</sup> Wednesday of the month. Every effort will be made to accommodate each individual vendor's requested schedule, but requested schedule is not guaranteed until confirmed by the Parks Department.
- b. Once/month fee is \$100 per 10' x 10' vendor space for the season.

Once you have been selected as a vendor, you will receive confirmation of the dates for which you are approved and request for payment of the booth fee. Payment is due when the vendor is approved. **Please do not send payment with application.**

**Vendors who commit both the AMP and Saxony Markets get \$50 discount for the Saxony Market.**

## **VENDOR SELECTION CRITERIA**

The Fishers Farmers Market is fortunate to have returning vendors who come year after year. Consideration will be given to those vendors with seniority. Highest priority will be given to farmers, growers, and producers.

Additionally, the Fishers Farmers Market strives to be an accelerator for local food entrepreneurs to grow new businesses. We generally do not approve vendors with more than two brick-and-mortar (retail) locations and prefer to provide market space to vendors who do not have retail stores.

Other vendor selection criteria include:

1. History with the Fishers Farmers Market including, but not limited to:
  - a. Adherence to market rules and regulations.
  - b. Number of years participated in the market.
  - c. Weekly market attendance/tardiness record.
  - d. Payment of fees.
2. History of Health Department violations.
3. Enhancement of overall product mix at the market without creating excessive supply of any one product as determined by the Parks Department and selection committee.
4. Quality of products for sale by vendor as well as attractiveness and presentation of products/displays at vendor's booth.

## **PERMITS AND LICENSES**

Vendors accepted to the Fishers Farmers Market must provide copies of all applicable permits and licenses for their product(s) including, but not limited to:

1. Vendors who sell **eggs** must provide a copy of a retail permit from the Indiana State Egg Board.
2. Vendors who sell or sample any **food for consumption on site** may need a seasonal vendor permit from the Fishers Health Department.
3. Vendors requiring any **weighing or measuring instrument or device** used for commercial purposes in the State of Indiana to be licensed annually. This includes scales to measure produce at the market. A copy of the Weights and Measures license must be submitted to the Parks Department. <http://www.in.gov/isdh/23288.htm>
4. Vendors who sell pet food of any kind, including dog treats, must have a Commercial Feed License and adhere to all labeling requirements. <http://www.oisc.purdue.edu/petfood/index.html>

Local, state, and federal laws supersede any and all market rules. We strive to keep our handbook up to date, but it is the vendor's responsibility to ensure their product is in full compliance with all regulations.

## **ORGANIC CERTIFICATION**

Federal law, which went into effect in 2002, requires that any grower with sales over \$5,000 calling their product organic must be certified organic by a USDA-accredited agency. Growers with gross sales less than \$5,000 may call their product organic, as long as they sign an affidavit to that effect and comply with all other USDA rules. Visit [www.ams.usda.gov/nop](http://www.ams.usda.gov/nop) for more information, including a list of USDA-accredited certification agencies. Vendors of organic products at the Fishers Farmers Market must have their original organic certification clearly displayed at their booth. **The word "organic" may not be used in advertising unless certification is provided.**



## **FARM/SITE VISITS**

1. The Fishers Farmers Market reserves the right to conduct site visits to the farms, kitchens, production or packing facilities of any market vendor or to authorize a designated representative to do so.
2. Vendors new to the Fishers Farmers Market will be contacted by the Parks Department to schedule a mutually convenient time for a visit the vendor's farm, kitchen, and/or production facility.
3. All vendors must agree to allow review of their production site by authorized representatives of the Farmers Market at any time, for any reason. Vendors will be contacted in advance to schedule an appointment for the site visit. If a vendor refuses to allow a site visit or does not fully cooperate with the site visit, the vendor's participation will be terminated without any refund of fees.

## **ATTENDANCE AND TARDINESS**

The Fishers Farmers Market is dedicated to providing a consistent, high quality, friendly, well-staffed and well-stocked market for our community residents and visitors. To meet this goal, it is important that all vendors attend the weekly market and **be ready to start business 30 minutes prior to Market opening.**

1. All vendors are expected to honor the participation schedule established in their contract.
2. Vendors who are consistently late or with more than two (2) unexcused absences for the season may be asked **NOT** to return the rest of the season and may **NOT** be considered for the next season. (Excused absence approved in the application process do not apply.) Vendors with more than two (2) unexcused absences during the season will forfeit their vendor space and vendor fees the remainder of the season.
3. In the event of an absence from a scheduled Farmers Market due to any reason, vendors must notify the Parks Department as soon as possible. If an emergency should occur, the vendor is asked to contact the on-site Market coordinator as soon as possible after the emergency concludes
4. We understand that occasionally circumstances beyond your control will cause a late arrival to the market. If this occurs, contact the Parks Department.
5. Vendors who consistently report to the market late and are not ready for business at least 30 minutes before market opening may be asked not to return the rest of the season and will not be considered as a vendor for the following year.
6. Vendors who are absent without contacting the Parks Department may be moved to a different space for the remainder of the season.
7. No refunds will be made for dates the vendor does not attend.

## **BOOTH SPACES AND EQUIPMENT**

1. **Vendor space assignment:** Vending spaces will be assigned by the Parks Department staff using their best judgement and considering as necessary factors including, but not limited to:
  - a. Vendor needs such as electricity or handicap accessibility.
  - b. Physical distribution of products throughout the Market.
  - c. The visual esthetic of the Market.

2. **Vendor space reservations:** Vendors who sign a full season contract and commit to attending every Saturday will be assigned a permanent booth space. Part-time vendors will be assigned space as it is available.
3. **Subletting:** Booth spaces may not be transferred to or shared by other vendors unless prior permission was obtained from the Parks Department. **YOUR** product is the **ONLY** product allowed to be displayed and sold at your booth. Vendors are **NOT** allowed to give their booth to another vendor not registered to the Fishers Farmers Market in the event they are absent. Any vendor who sublets their space without prior approval is subject to forfeiture of space and fee.
4. **Booth size:** Booth space is 10' wide and 10' deep. In consideration of other vendors, vendor setup must be within the boundaries of their space. No boxes, displays, signs, or other vendor equipment or products may extend into the common customer traffic areas. Vendors are responsible for maintaining their spaces in a clean and sanitary condition at all times.
5. **Equipment and Supplies:** The vendor must supply all their own equipment such as tents, tables, table coverings, chairs, display cases/fixtures, signs, etc. Vendors are also responsible for supplying their own weather protection equipment. All vendor equipment used at the market must be in a clean and safe condition. Glass display cases and other glass containers must be secured.
  - a. **Fire extinguishers:** All vendors who are cooking or heating food must have a fire extinguisher at their booth. Any vendors who are frying foods in oil or grease must have a Class K fire extinguisher at their booth.
  - b. **Tents/Canopies/Umbrellas:** Any vendor tent, canopy, or umbrella on the Fishers Farmers Market site during a normal period of market operations, including the set up and break down period, is required to be sufficiently and safely anchored to the ground from the time it is put up to the time it is taken down. **GROUND STAKES ARE NOT PERMITTED.**
  - c. **Booth signage:** Each vendor must have a table covering and display signage identifying the vendor's farm or company name. Signage must include the vendor business name and must be prominently displayed and be visible during market hours of operation. All product prices must be appropriately and adequately displayed.
  - d. **Other signage and printed materials:** No signage or pamphlets are allowed that promote activities outside the market that are not related to vendor business. This includes, but is not limited to unrelated commercial businesses, controversial topics, and political and/or religious affiliations.
  - e. **Scales:** If selling goods by weight, the vendor must supply a legal and accurate scale, which is subject to periodic inspection by the County Department of Weights and Measures. Any weighing or measuring instrument or device used for commercial purposes in the State of Indiana must be licensed annually. This includes scales to measure produce at the market. A copy of the Weights and Measures license must be submitted to the Parks Department.
  - f. **Electricity:** There is limited access to electricity at the market. Electricity is available, however limited to select spaces and with limited amps. If there is any change in electrical requirements during the season, communication must be made two weeks prior to market day to ensure that a city staff member is given appropriate time to review the request and evaluate whether the necessary connections are available. In some cases, vendors may need propane powered grills instead of using electricity.

- g. **WiFi:** The AMP location has access to free “guest” WiFi, but this option is not always reliable. Please bring a device that will provide your booth with internet if that service is needed for processing transactions. The Saxony location does not have any access to WiFi.
  - h. **Water:** Hot water is not available for vendors at either market. Vendors must bring their own hot water for the day. Used water must be disposed of in the designated area. No dumping ice, water, or sewage on the grounds or in storm drains. This action is considered an illegal discharge and a violation of the City of Fishers storm/water ordinance.
  - i. **Ice:** Vendors are required to bring their own ice.
6. **Organic products:** Vendors of organic products must have their original certification clearly displayed at their booth. The word “organic” may not be used in advertising unless certification is provided.

## **TENT WEIGHT REQUIREMENTS**

Wind-blown tents, canopies, and umbrellas are the number one cause of injuries and insurance claims at Farmers markets, but almost all this damage can be prevented. We require that every tent, canopy, umbrella, and sign used at the Fishers Farmers Market be attached to an approved weight. All tents, canopies, umbrellas, signs and other forms of stall covers must be sufficiently and safely secured to the ground from the moment the stall cover is erected at the start of the market day to the moment immediately before it is taken down at the end of the market. Tents and canopies are considered sufficiently secured with at least 40 pounds per leg and at least 50 pounds for umbrellas.

1. Weights should be secured in a manner that does not create their own safety hazard.
2. Weights should be tethered with lines that are clearly visible and will not cause a tripping hazard.
3. Weights should have soft edges to avoid causing cuts and scrapes.
4. Weights should be securely attached.
5. Weights should be on the ground (NOT above people’s heads).
6. If tents, canopies, umbrellas, or signs are NOT adequately secured, Fishers Farmers Market management will require the Vendor to take them down and close their booth for the day. If these items need to be taken down in the middle of the market, Vendors are expected to direct customers to a safe place so they will not be injured.
7. Sufficient and safe weights include
  - a. Filling an empty paint can with cement and tying to each corner of the tent with a rope or bungee. Placing the can on the feet of the tent only is not sufficient.
  - b. Filling containers with sand/cement that can be anchored or secured with a rope or bungee.
  - c. PVC pipe capped and filled with cement must be hung on the inside of canopy poles and secured to the top braces of the canopy in a way that does not collide with customers or create a hazard.
8. Insufficient or unsafe weights include
  - a. Gallon water jugs.
  - b. Tying tents, canopies, umbrellas, etc. to tables, coolers, or vehicles. Sandbags that cannot be set upright and securely tied to the tent or canopy cannot be used.

## SET-UP AND TEAR-DOWN

1. Vendors may arrive 2 hours before start of Market. Vendors **MUST** arrive to their assigned space no later than 45 minutes before the market is scheduled to begin. Vendors should be completely set up and **ready for selling 30 minutes prior to opening**.
2. To unload, vendors should follow directions on map provided at vendor meeting. Please unload products and supplies near your assigned vendor space, park your vehicle in the designated vendor parking, then return to unpack and set up your booth space. *Please do not set up booth until vehicle is parked offsite.*
3. For the safety of pedestrians, the area designated for unloading will be blocked off 30 minutes prior to Market opening and reopened 15 minutes after Market closes (*or sooner if pedestrian traffic is clear*). Vehicles are not permitted on the grass.
4. Vendor booths must remain open and ready to serve customers **until the Market closes**. You may not start packing up your products and tearing down your booth until after the end of the Market.
5. Vendors may not bring their vehicle to their booth for loading at the close of the Market until their booth is completely taken down including, but not limited to: **Tent down, table and chairs folded, all product packed, signs removed, etc.**
6. Vendor cars pulled in for loading before the booth is completely broken down and packed will be asked to move until ALL booth space equipment and supplies are ready for a quick loading.
7. Vendors will not be allowed to drive vehicles into the market site until 15 minutes after Market closes or when the last pedestrians have left the site, **NO EXCEPTIONS**.
8. Vendors must leave their booth space clean and free of trash and debris. Vendor may be assessed a fee for clean up if market staff must further clean or professionally clean a selling space. Garbage containers provided by Fishers Farmers Market are for customer use or light trash only. Agricultural waste, broken down boxes, and large bags of trash must be hauled away or placed in the designated disposal location.

## SELLING AT THE MARKET

1. **Products:** Vendors must list **all** products they wish to sell on the vendor application. Any additional products must be approved by the Parks Department at least two (2) weeks in advance of when the vendor wishes to bring the product to market.
2. **Pricing/labeling:** Vendors must accurately represent their products to the public with prices and proper labeling. All items must be clearly priced. If selling by weight, vendors must have a legal produce scale.
3. **Sales staff:** Persons selling a vendor's products at the market must be the vendor, a member of the vendor's family, or a paid employee who participates in the production of products sold at the market. Persons selling at the Market must be able to accurately answer questions about how products were grown and harvested or, in the case of prepared goods, how they were prepared, processed, and/or created.
4. **Customer refunds:** We require that products sold at our events can be returned for exchange or refund while the market is underway.
5. **Hawking:** Vendors are not permitted to "hawk" their products or harass customers in any way.

6. **Music:** The Fishers Farmers Market supplies all music and entertainment during the market. No playing of instruments, CDs, digital music, etc. at vendor booths without permission from the Parks Department.
7. **Health Department permit:** Vendors who sell or sample any food for consumption on site must provide a copy of a seasonal vendor permit from the Fishers Health Department.
8. **Sales tax:** Vendors are responsible for collecting and remitting sales tax on all non-food items.
9. **Selling out:** Should a vendor sell out of their product at any time prior to the close of the market, they must maintain their booth in full set up. Please feel free to hang a sign that indicates you are out of product. However, you are not permitted to tear-down your booth or vacate your booth space until the market is officially closed.
9. **Close of market:** Vendor booths must remain open and ready to serve customers **until the close of the Market.** Vendors are required to stop selling at the close of the market.

## **VENDOR MEETINGS AND WEEKLY EMAILS TO VENDORS**

Vendors will be required to attend an organizational and informational meeting with the Parks Department and other City of Fishers representatives prior to the market opening date. Additional vendor meetings may be scheduled during the market season if needed.

Fishers Parks circulates weekly vendor updates by email to communicate market news, market layouts, and other information relevant to our market community. Vendors are expected to read these communications thoroughly as they contain important and time sensitive information. Vendors must pass on communication to staff working at the market.

## **GROSS SALES REPORTING AND VENDOR SURVEYS**

Vendors will be required to report gross sales each week following the market. We know there is sensitivity in reporting gross sales, but this data is crucial to help grow the Fishers Farmers Market and to better understand market trends. We ask that all vendors notify their employees about this requirement at the beginning of the season. Please note: vendors will be able to report gross sales anonymously.

Vendors will also be asked to complete a survey at the end of the market season, to help measure the success of, and plan continued improvements of the Fishers Farmers Market. Vendors may also be asked to complete additional surveys or other feedback tools during the market season; participation is sincerely appreciated.

## **FOOD SAFETY**

*Food safety starts with YOU!* The Fishers Health Department is always available to answer questions and provide information throughout the market season at 317-567-5045. Please ensure that you and your employees practice safe food health when handling your produce or product. This ensures that you are doing your part to protect the health and well-being of others as well as yourself. Vendors and their employees are responsible for informing themselves about and complying with the local, state, and federal health regulations and licensing requirements governing the production, display, distribution, sampling, and sale of their products. The sale of food items requires proper labeling which must contain product name, preparation site, ingredients, net weight, and price. Fishers Health Department will safety checks throughout the season. If you are in violation of a requirement, you will be told to close for the day.

## **FIRE SAFETY**

All vendors who are cooking or heating food must have a fire extinguisher at their booth. Any vendors who are frying foods in oil or grease must have a Class K fire extinguisher at their booth.

## **VENDOR CONDUCT**

1. All vendors are expected to act in a **courteous and respectful manner** to all customers, vendors, volunteers, community members and City staff. Support of other vendors, including assistance during set-up and tear-down, is encouraged. Inappropriate conduct, language, or threats towards other vendors, customers, or City staff, whether in person, phone, or electronic media, will not be tolerated and will be grounds for immediate dismissal from the Market.
2. **Smoking and consuming alcoholic beverages are prohibited** at the Fishers Farmers Market.
3. **Vendors may not bring pets** of any kind to the market. Customers may bring leashed pets to the Market. Vendors are encouraged to be aware of pets when around their booth and ensure animals do not have access to food products, wrap leashes around tent poles, crawl under tables, etc. Vendors may need to courteously remind customers to move their pet away from the vendor booth if the pet is causing a potentially hazardous situation.

## **COMPLAINT POLICY AND PROCESS**

Maintaining a supportive, respectful, and welcoming atmosphere at the Fishers Farmers Market is critical to the overall success of the market. Professional conduct is expected at all times. Yelling, swearing, or other harassing or threatening behavior in person or via electronic media will not be tolerated. This type of behavior will result in expulsion from the Fishers Farmers Market with no redress.

Market management cannot effectively act on rumor or anonymous, vague, or untimely complaints about the conduct of others. All complaints by a vendor against another vendor must be submitted in writing to the Parks Department. Unsigned complaints will not be addressed. Petition-style complaints, signed by numerous individuals, will not be addressed. Market management will strive to handle all complaints as efficiently, fairly, and discreetly as possible.

1. All complaints by a vendor against another vendor must be submitted in writing using the complaint form within 14 days of the incident in question. Complaints by or about customers must also be submitted in writing.
2. Market management will investigate the allegation within 21 days. This may include an inspection visit to the accused vendor's farm or production site and/or consultation with knowledgeable individuals such as Hamilton County Health Department officials, Purdue Extension staff, or other local experts.
3. The complainant and alleged violator may be asked to attend a joint meeting if the Parks Department determines this would be useful in resolving the situation. The purpose of such a meeting would be to clarify policies, determine whether and to what degree there was a violation, and to determine what disciplinary action, if any, is appropriate.
4. All investigations will be done discreetly and privately. At the conclusion of the investigation, a summary finding will be placed in the market files and given only to parties involved.
5. Fishers Parks representatives have full authority to interpret, implement, and enforce policies. Violation of the rules is cause for warnings and/or expulsion.

## **INSURANCE REQUIREMENT**

All vendors must supply the City of Fishers, Parks Department with a certificate of insurance in the amount of \$1 million general liability insurance, including product liability insurance. The City of Fishers must be listed as an additional insured. Certificates of insurance must be emailed to [parks@fishers.in.us](mailto:parks@fishers.in.us) or mailed to Fishers Parks, **8100 E. 106<sup>th</sup> St. #150, Fishers, Indiana 46038** prior to the vendor's first market date. Failure to do so before the first market date will result in not being able to sell at the market until it is received.

## **ADVERTISING AND MARKETING**

The City of Fishers will be responsible for advertising the Fishers Farmers Market. Advertising will include posters, social media, flyers, newspaper, radio, and television coverage, if applicable. Vendors are encouraged to use their own social media sites to promote the market to their customers and followers.

The City of Fishers may organize promotional efforts for customers throughout the season, such as activities, games, or giveaways. Occasionally, we will ask vendors to contribute gift cards or non-perishable items to support these efforts. Vendor support of these efforts is sincerely appreciated.

## **VENDOR PHOTO RELEASE**

Vendor shall permit photographs and video recording of their booths, employees, and agents by City of Fishers staff or representatives. All photographs and video footage shall be the sole property of the City of Fishers and may be used by the City of Fishers in any manner or media without obligation to Vendor. Please be aware that these materials are for City of Fishers use only and may be used in City-owned publications, website, and social media.

## **WEATHER AND CANCELLATION POLICY**

The Fishers Farmers Market is a rain or shine market. We operate on a regular schedule even in heavy rain. We have made a commitment to be open the days and hours we have published, and it is important for all vendors to be present at the market, even in inclement weather, so customers know they can shop the market every week during the season. Missing a scheduled Market due to rain will count towards an unexcused absence.

However, we take the safety of our customers, volunteers, and vendors very seriously. Market staff will monitor the weather (via multiple weather apps and local weather radar) leading up to and during each market and, if weather conditions are severe, will take the following measures:

1. If a severe weather threat occurs prior to the opening of the market and there is reason to believe the threat will persist through much of the morning, the market opening may be delayed, or the market may be cancelled.
2. If severe weather—including lightning, high winds, and hail—develops after the market has opened, market staff will ask customers, vendors, and volunteers to take shelter in an enclosed vehicle or inside a nearby parking garage or other structure until the inclement weather has passed.
  - a. If weather radar indicates the presence of lightning within a 10-mile radius of the market site, the market will be temporarily closed and customers, volunteers, and vendors asked to seek shelter.
  - b. Once the weather has passed, a determination will be made about resuming market operations for the remainder of the market day. If more than 60 minutes have passed and the storm continues or Market management can verify an extended storm cell's presence exceeding the remaining open hours of the market, the market will be closed for the day.

3. Vendors must ensure that adequate weights are always attached to their tents during inclement weather. If winds are extreme, vendors may be directed to take tents down to ensure safety of fellow vendors and customers.
4. Cancellation of a market day, either before or during the market, is viewed as a last resort. However, if weather conditions present safety hazards beyond what staff can be reasonably expected to handle the market will be cancelled.
5. Any market delay or cancellation updates will be posted to Facebook, Instagram and Twitter. Vendors should also watch for an email, call, or text from Market management.
6. City of Fishers will not be held responsible for any losses or expense incurred because of a market cancellation or another emergency. No refunds will be provided.

Regarding tornados: the Hamilton County emergency sirens sound with a steady tone in the event that the National Weather Service has issued a tornado warning for the county or if emergency personnel have sighted a funnel cloud or tornado. At the time of the siren sounding, Market management will alert market visitors, volunteers, and vendors that one of the nearby parking garages is the safest location to seek shelter until the threat has passed. The tornado siren will sound for five minutes, but the cessation of the siren does not necessarily mean that the threat of tornado has passed.

## **VENDOR REGULATION VIOLATIONS**

These policies and guidelines may be made more specific in the future as need requires. One of our main goals is to have a framework in place so that the Market management team can take immediate action when necessary and refer larger issues to the appropriate City representatives. Violation of any policy of the Market may result in any of the following consequences: warning, being asked to remove a product of concern, being asked to leave for the current market day, being asked not to vend for the remainder of the market season, or being forbidden from returning to market in future seasons.

In all matters expressly mentioned or unmentioned in these policies, the Parks Department and City of Fishers representatives retain the right to set, establish, create, amend, eliminate, or make exceptions to rules regulations and requirements at any point in time without notice and decisions made will be binding in all cases.