

Appendix B OCONEE FARMERS MARKET - BYLAWS & RULES OF OPERATION

[Updated January 23, 2018]

2018 Board Members and Officers:

President	Annie Kennedy
Vice President	Eric Pope
Secretary	Mandy Latimer
Treasurer	Miquel Cabrera
Vendor Representative & Music Agent	Joy Redmond
	Holly Jackson

2018 Market Manager Allison Barnes

In cooperation with the Oconee County government and the city of Watkinsville, Georgia.

General Information

Purpose of the market:

- 1 To provide a place in Oconee County, Georgia where local producers of fresh produce, handmade food and handcrafted products can sell directly to consumers.
- 2 To advise consumers of the availability of locally grown, fresh, high quality produce and other farm products.
- 3 To encourage cooperative participation in the direct marketing of farm produce.
- 4 To encourage increased production of quality products for local consumption.
- 5 To support Oconee County and surrounding farmers, agribusiness and tourism.

The Oconee Farmers Market will be operated by and for its members, who are the original producers of the items sold at the market. The market is designed to support local and regional farmers and gardeners by providing a direct marketing opportunity for their produce and value-added products. No produce or other items of any kind may be purchased from another source, except if that source is a local producer or farmer offering items for sale, but that cannot, for practical reasons, sell the item him/herself. All items will be sold "as is", and any item sold must contain at least one ingredient that was grown or produced by the farmer/seller. A seller's representative or the seller must be present at the market to sell their items. Items to be sold are subject to approval by the Market Manager. The Market Manager is defined for the purposes of these regulations as the Oconee Farmers Market Manager.

Location and Time:

For the 2017 season, the market will be operated on Saturday mornings, April - November, from approximately 8:00 a.m. to 1:00 p.m. in front of the Oconee County Courthouse as approved by the County Commission and surrounding city property as approved by the city of Watkinsville in downtown Watkinsville.

Displaying and Selling Goods:

1. Producers/sellers must furnish their own tables, chairs, and other display arrangements. In case of rain, vendors must furnish their own protection, as there will be no shelter provided. All tents, canopied and umbrellas, must have canopy weights in use at all times. Each canopy must have no less than 24 lbs. of weight anchoring each leg. All weights must be attached and clearly marked so as not to cause a tripping hazard. **NO TENT SHALL BE ERECTED WITHOUT PROPER WEIGHTS - NO EXCEPTIONS.**
*Homemade weights are allowed but all weight approval is subject to Market Manager's discretion.
2. Georgia law requires that all sellers have all required health department, Georgia Department of

Appendix B OCONEE FARMERS MARKET - BYLAWS & RULES OF OPERATION

[Updated January 23, 2018]

Agriculture, USDA, and any other applicable federal, state, or local licenses in order to participate and sell items at the market. A Copy of any pertinent license shall be given to the Market Manager at the beginning of the market season. License should be displayed at vendors booth.

3. All vendors will be responsible for collecting and reporting any state/county required taxes/fees.
4. A vendor's homeowner's insurance policy may cover liability of the vendor while selling at the market; however, each vendor is responsible for his or her own liability and may be asked to show proof of coverage. Each vendor should check with his or her insurance provider.

Enforcement of Rules:

Vendors and occupants of the market must conform to the Market rules at all times. The Market Manager has full authority to enforce all rules. Any occupant failing to comply may have their space declared vacant and be prohibited from selling at the market in the future, if necessary.

Rules of Operation

Section 1. Who May Sell:

1. Only Georgia growers or producers within an approximate 100-mile plus or minus radius of Oconee County may sell goods at the Oconee Farmers Market. This insures the market remains a viable local and community market not subject to warehousing operations, and does not exceed the areas resource facilities at this time. This also insures that the market is able to supply the freshest produce to customers and supports local agriculture for the benefit of the agribusiness sector of the regional area. A seller or producer is any person who produces items such as fruits, vegetables, edible grains, nuts, berries, plants, flowers or value-added agricultural products.
2. Non-producers are not permitted to sell unless specifically approved by the Board and the Market Manager.
3. Non-Profits, Civic Groups, Clubs, etc. will be allowed to set up, upon advanced approval of the Board/Market Management, in a space assigned by the Market Manager. The weekly farmer's market fee will not apply. All other rules of market apply accordingly.

Section 2. What May Be Sold:

1. Fresh agricultural produce and products may be sold. Produce should be mature but not overripe, void of decay, have good external and internal appearance, and must be clean and free of contamination. **Organic produce advertised as such must be USDA certified *organic* with certification displayed.** Quality standards will be enforced on all products.
2. Value-added products such as home-roasted coffee, jams and jellies, blankets woven from sheep wool that was produced on a local [Georgia] farm, leather goods produced from cattle on local farms, etc. will be sold upon approval of the Market Manager and where any applicable federal, state and local requirements for such items are obtained. Examples of value-added products that can be sold include:
 - a. Imported coffee beans that are roasted, processed and sold by a local vendor as part of a locally owned and operated business.
 - b. Sauces, pickles, salsas or similar items that include peppers or tomatoes grown locally (see Ga. Department of Agriculture regulations for farmers markets/acidic products) if applicable.
 - c. Muscadines in muscadine jelly.
3. Fresh farm eggs or prepared meats and other items may be sold only if the producer has followed all state and federal governmental regulations regarding the sale of these items at local markets. State health inspections may be required. **Adherence to regulations is the responsibility of the producer/seller.**
4. Other products that can be sold include, but are not limited to, baked goods, plants, flowers, arts and crafts, etc. subject to approval by the Market Manager, and according to state regulations regarding what

Appendix B OCONEE FARMERS MARKET - BYLAWS & RULES OF OPERATION

[Updated January 23, 2018]

may be sold at a farmers market. All food items must be packaged according to state regulations and bear the necessary labeling information by law. **Each producer and/or seller is responsible for regulations pertaining to any and all products offered for sale.**

5. Restrictions on product sales may be imposed at the discretion of the Board and the Market Manager.

Section 3. What May Not Be Sold

1. Live animals-there shall not be any selling or giving away of live animal at the OFM.
2. Any agricultural product or produce originating outside the state of Georgia unless within 100 miles and approved by the Market Board.
3. Arts and crafts that are not produced from agricultural products, i.e. agriculturally-based product, cannot be sold unless first approved by the Market Board.
4. Any items that do not adhere to all state and federal regulations regarding sale of agricultural products, or that are deemed unacceptable by the Market Manager. The Market Manager and/or Board reserves the right to visit any members farm or place of production at any time, the primary purpose being to determine whether the member is producing all he or she is selling at the market as claimed in the application according to market rules, and as indicted by booth signs, if the origin of the product is in question.

How Produce May Be Sold:

1. Produce may be sold by volume or count only. Selling by weight is discouraged unless scales are inspected and conform to the Georgia Department of Agriculture's, Division of Weights and Measures regulations. **If an estimate of weight is used, a scale must be labeled "For Estimate Only".**
2. Producers will have the privilege and responsibility of setting their own prices. This includes setting prices at a fair market value that reflects the high quality, yet fair and reasonable value of the product. Consultation with fellow vendors and/or Market Manager is encouraged. A "no dumping" policy will be enforced. Dumping is defined as selling significantly below reasonable market prices or fair, competitive prices that other vendors, selling the same type of item, are charging that day. If there is a complaint you will be asked to adjust the price to market value or leave the market. It is the goal of the Market to provide a source of quality produce at a fair and reasonable, yet competitive price. Vendors who fail to comply will not be allowed to sell.
3. All vendors and/or producers must provide *new* bags/containers for consumer purchases. Recycled or *used* bags/containers are not permitted except where applicable by law [egg cartons, etc.].
4. Each vendor must post a sign of at least 15" x 20" in a conspicuous manner in his or her selling booth or area, identifying the producer by name, phone number and town or county. Lettering must be clearly legible.
5. All prices should be clearly marked on or near each item or group of items for sale.
6. Be prepared to make change for the customer. All sales are the responsibility of the seller. Exchange of produce and/or refunds will be left to the discretion of the seller; however, customer satisfaction should be the goal of all sellers at the market.

Sanitation and Health Requirements:

1. All items for sale must be stored and displayed at a "reasonable distance above the ground to prevent contamination". For reasons of possible contamination, **no recycled bags/containers** may be used for consumer purchases.
2. Dogs on leashes, will be permitted within the Farmers Market, as long as they do not interfere with market business or health and safety regulations.
3. Each producer or seller is responsible for maintaining his or her sales area in a neat and clean, sanitary condition. The Market Manager will inspect each area before the producer leaves for the day. A seller

Appendix B OCONEE FARMERS MARKET - BYLAWS & RULES OF OPERATION

[Updated January 23, 2018]

can be assessed a cleanup fee (of \$25.00) if there is any substantial refuse left behind in their vending or the loading area. All trash, produce waste & containers being discarded, must be taken from the market at the end of the day and **NOT placed in public trash containers on site.**

4. At the end of the day, all producers should work together to police and clean the general area.
5. Samples may be given to customers provided they are kept covered or packaged. Knives, cutting boards, etc. must be in sanitary condition.

Booth/Vending Areas

1. New vendor space requested will be assigned on a first-come, first-serve basis by the Market Manager. A vendor's tent or display area [10' x 10'] must stay within the assigned space. At times, the Market Manager may need to rearrange spaces for maximum positive impact of the market and to accommodate all vendors in the space provided.
2. A vendor must be in place no later than 7:45 a.m. on market day or may be subject to loss of space to another vendor that day. If a vendor is going to be later than 7:45 a.m., it is their responsibility to get notice to the manager or forfeit their vendor space for the day. ALL vendors, unless using handicapped space, must park behind the courthouse. ALL vehicles will be out of vending area no later than 8 a.m. and CANNOT pull back up into the vending area until after 1 p.m. Early departure by a vendor requires all items to be carried out of vending area to the parking lot where vehicle is parked.
3. Any vendor wishing to participate in the Oconee Farmers Market on Fall Festival Saturday [Third Saturday in October] must be an existing vendor with at least 12 previous market selling days in the 2017 season. All products sold must meet Farmers Market guidelines.
4. Vendors must display or have in their possession all applicable licenses (Copy for Market Manager).
5. All vendors participating in the Oconee Farmers Market are independent operators and not partners or joint ventures, and shall be individually and severally liable for any loss, personal injury, deaths, and/or any other damages that may occur as a result of the vendor's negligence or that of its employees, agents, and associates. All vendors are required to sign the *Hold Harmless Clause* included in the market application. All vendors agree to indemnify and save the Oconee Farmers Market, the city of Watkinsville, and the Oconee County government harmless from any loss, costs, damages, and other expenses including attorney fees, suffered or incurred by said farmers market by reason of vendors negligence or intentional misconduct or that of its employees, agents, and associates; provided that the vendor shall not be liable for nor required to indemnify *Oconee Farmers Market*, the city of Watkinsville, or Oconee County for the negligence of any of them or that of their servants, agents, employees or associates. Each vendor should carry his or her own personal and product liability insurance. Furthermore, vehicle liability insurance is required to cover any damage caused to persons or property by a vendor's vehicle.
6. All vendors that need access to electricity will be placed along the courthouse side of the market.

Space Rental Fees

Three options are available for paying the market fees: 1] Each market day, the vendor must pay \$10 or 5% of their gross market sales [whichever is greater] prior to departure, with reasonable exception given by the Market Manager. 2] a vendor may pay a seasonal fee, once a year in the amount of \$250 for the Saturday market. Seasonal fees must be paid in advance or at the end of the first market day; 3] vendors can instead pay one-half of the seasonal fee at the 1st market and pay the remaining one-half of the fee in 30 days – to be arranged with the Market Manager. If fee is mailed in advance please send to:

Oconee Farmers Market
P.O. Box 971
Watkinsville, GA 30677

Appendix B OCONEE FARMERS MARKET - BYLAWS & RULES OF OPERATION

[Updated January 23, 2018]

Payments can be in the form of check or money order made payable to the Oconee Farmers Market. Cash will be accepted as payment at the market.

All vendors must sign in and out each day, even if the seasonal fee has been paid.

All vendors will submit an anonymous sales tally for grant purposes to the Market Manager.

The following items are prohibited: Firearms, drugs, and alcoholic beverages.