



**2019**

## **FARMERS MARKET GUIDELINES**

The purpose of the Lincoln County Farmers Markets is to provide our community with fresh, local goods from local hands. Our focus is to offer opportunities to vendors who can in turn offer quality, local products to our customers. The Lincoln County Farmers Markets are operated by Lincoln County Parks and Recreation. Lincoln County Parks and Recreation may add to or modify these guidelines at any time to better serve our vendors and customers.

For more information about the markets please visit our website:

[www.lincolncountyfarmersmarket.com](http://www.lincolncountyfarmersmarket.com)

We also post information about upcoming market events, specials, and about our vendors on our Facebook page. Follow us @LincolnCountyFarmersMarket.

If you have questions or concerns regarding the markets, please contact John Davis at 704-748-1518.

### **Locations and Times**

The **Downtown Lincoln Market** is open Saturdays from 8 a.m. until 12 noon. The market season opens on Saturday April 6<sup>th</sup>, 2019 and ends on Saturday November 23<sup>rd</sup>, 2019. The Downtown Lincoln Market is located at 225 West Water Street in Lincoln just off West Main Street behind the Citizen Center.

The **Markets at DSS** are open Tuesdays and Thursdays from 8 a.m. until 12 noon. The market season begins on Tuesday April 9<sup>th</sup>, 2019 and ends on Thursday November 21<sup>st</sup>, 2019. The Market at DSS is located in the parking lot at Lincoln County Department of Social Services, 1136 E. Main Street in Lincoln.

The **Denver Farmers Market** is open Saturdays from 8 a.m. to 12 noon. The market season opens on Saturday April 6<sup>th</sup>, 2019 and ends on Saturday November 23<sup>rd</sup>, 2019. The Denver Farmers Market is located at Rescue Squad Park, 7835 Galway Lane in Denver just off of Business Hwy 16 across from the Lincoln Charter School Denver Campus.

The Winter Market in Denver is held at the same location from December to March depending on vendor interest.

## **Market Fees**

Market fees are payable to Lincoln County Farmers Market. Cash and Checks are accepted.

Lincolnton Market: All Lincolnton vendors must pay the initial \$25.00 vendor fee the first visit to the market. Vendors then pay \$5 each visit thereafter. Vendors who have paid their \$25 vendor fee for Lincolnton are allowed to sell at the DSS markets at no additional charge. Vendors who only sell at the DSS markets must pay the \$25.00 fee plus \$5 for each DSS market visit.

Denver Market: Vendor fees for the Denver Market are based on how many times you plan to sell at the market. These fees must be paid in advance of your first market visit. The fees are as follows:

Full-time vendor----\$150 (unlimited market days)

Part-time vendor----\$100 (maximum of 10 market days)

Occasional vendor--\$50 (maximum of 5 market days)

## **Daily Market Rules**

- Vendors should practice good sanitation at all times.
- Vendors must wash their hands with soap and water after each visit to the restroom.
- Each vendor is responsible for leaving his or her space clean at the end of the day.
- An employee or family member may represent the actual vendor for sales purposes.
- All vendors must display a sign identifying the name and location of their business.
- No sales are allowed except on the days and times which are designated above.
- Due to safety concerns, children under 10 years old accompanying vendors must remain in that vendor's booth space.

- Profane language and discourteous actions are strictly prohibited at the markets.
- Smoking is not allowed in the market area by vendors or customers.
- Vendors must supply any tents, tables, chairs, or other materials they may need for their booth.
- Vendors must contain their sales within their assigned vendor space.

Downtown Lincolnton Market vendors can choose to have an assigned space at the shelter with priority determined by the amount of days the vendor participated in the market the previous year. Any assigned space not filled by 7:30 a.m. will be available to other vendors. Vendors should back up to their spaces from the outside of the shelter. For the safety of all concerned, no vehicle of any kind is allowed to pull through the shelter.

Denver Market vendors may be assigned a reserved space based upon their participation the previous year. Any vendor in good standing with the market for attendance and payment may keep their reserved space. Any vendor who came 20 or more times last year will be entitled to a “permanent” space. A permanent space will not be available to any other vendor at any time unless vendors have been notified such a space will be vacant on a particular day. A reserved space which is not occupied by the assigned vendor by 7:30 a.m. may be used by any other vendor. At the beginning of the season, vendors may request to move to an available spot if they chose to move. Assignment of reserved and permanent spaces depends on availability.

In Denver, carts are available for vendors using the shelter spaces to transport goods from the parking lot to the space.

At the Denver Market, vehicles are not allowed on the sidewalk or in the shelter under any circumstance.

The Market @ DSS vendors will set up at the Main Street side of the parking lot just below the grass median. Please do not park/drive vehicles in the grass area.

**All spaces which have not been assigned at the Denver and Downtown Lincolnton markets are available on a first-come, first- served basis.**

All space assignments are completed by the Lincoln County Parks and Recreation department.

## **Eligible Vendors and Products**

**The Lincoln County Farmers Markets are open to growers/producers from Lincoln and the surrounding counties of Burke, Catawba, Cleveland, Gaston, Iredell and Mecklenburg.**

**To participate in any of the Lincoln County Farmers Markets, possible vendors must complete the application process and be assigned a space at the market(s) by the Lincoln County Parks and Recreation Department.**

**Vendors wishing to sell at multiple markets must complete separate applications for each market (Denver or Lincolnton)**

### **Eligible Vendors are:**

Farmers (growers) of produce, defined as fruits, vegetables, herbs, honey and mushrooms

Farmers (producers) of meats, cheese, other dairy products and eggs

Bakers - makers of locally baked goods.

Makers of soaps and body care products.

Makers of handmade crafts including but not limited to jewelry, woodworking, and pottery

Fishers of fresh caught fish or shellfish caught in NC/SC waters, or, by approval, approved sellers of fish or shellfish caught by another fisher from NC/SC waters.

### **Non-eligible Vendors are:**

Commercial bakers.

Resellers of meat or produce.

Sellers of manufactured items

### **What can be sold at the markets:**

Vegetables grown by the seller from seed, sets or seedlings.

Fresh cut or dried flowers and herbs grown by the seller from seeds or seedlings or perennials on the seller's property.

Fruits, nuts or berries grown by the seller from trees, bushes or vines on the seller's farm.

Plants grown by the seller from seed, seedling, transplant or cutting.

Bulbs propagated by the seller.

Eggs produced by the seller's poultry.

Meat from animals that have been raised on the vendor's property or leased land.

Cheese (farmstead), butter or other dairy product made on the seller's property, with milk from the owner's animals, which must be raised on the owner's property or leased land.

Artisan cheeses made from another farm's milk may be sold by accepted application of the farm at which the milk is produced.

Honey produced from the seller's hives.

Cultivated mushrooms

Fresh (made within 48 hours) baked goods made by the seller in a certified kitchen.

Candies or confections made by the seller.

Preserves, pickles, relishes, sauces, vinegars, jams or jellies made by the seller with locally grown ingredients from inspected kitchens and proper licenses.

Handmade crafts made by vendor

**What cannot be sold at the markets:**

Manufactured items

Flea Market type items

"Low-acid" canned foods such as green beans, corn peas, carrots, canned tomatoes, etc.

Internal use medicines (e.g., herbal tinctures).

Live animals (neither sold nor given away).

Unpasteurized juices.

All items sold should be grown or made by the individual whose name appears on the vendor's certificate with the following exception.

Each produce or meat vendor may partner with one additional farm. This farm must be listed on the vendor application at the beginning of the season and must also be certified as vendors. To serve as a partner farm, that farm must provide/sign the same attest statement, stating they are producing the goods to be sold. These farms cannot be changed during the same growing season. Items sold from the partner farms must meet all requirements for sale at the market. No other buying and re-selling is allowed. All products from a partner farm must be presented as such through signage or labeling.

**The reselling of produce from wholesale sources or other vendors other than your partner farm is strictly prohibited.**

## Certifications

Depending on the goods vendors plan to sell at the market, various certifications may be required and apply. These certifications are state-wide and must be obtained for vendors to be eligible for the market.

All vendors must have an approved application with them while selling at the market. A grower's certificate must be signed by a Cooperative Extension agent in the vendor's home county. For Lincoln County residents, grower certificates can be signed by Tom Dyson with Cooperative Extension or John Davis with Parks and Recreation. **At any point during the season, Parks and Recreation staff may inspect any farm selling at the market.**

Items such as baked goods and jams and jellies must be prepared in an N.C.D.A. inspected kitchen. Meat raised by the vendor is allowed as long as the vendor has an N.C.D.A. Meat Handler's Certificate. Pickles and related products such as chow-chow are allowed only if the vendor has passed the "Acidified Foods" class given by N.C. State University. These products must be produced in an N.C.D.A. inspected kitchen. A vendor who sells peanuts which have been cooked in any way is required to obtain a "processing authority letter." Vendors who fit into one of these categories must provide appropriate paperwork to the Market operators prior to selling. Submission of kitchen inspections, meat handler's license and other applicable licensure or certificates are required with this application.

You may find the following websites helpful:

<http://www.ncagr.gov/fooddrug/food/homebiz.htm>

<http://www.ncagr.gov/meatpoultry/meathandlers.htm>

<http://www.ncagr.gov/fooddrug/food/egglaw.htm>

Contact Lincoln County Cooperative Extension for more information on how to get any of the required certifications.

**All vendors (including non-profit) need a NC DOR Sales Tax Certificate of Registration from the Department of Revenue even if you do NOT assess sales tax for items sold. You must provide a copy of this certificate with your application. This certificate must be displayed in your space when selling at any of the markets. Without a copy of this certificate attached to your vendor application, your application will NOT be accepted. There is no fee for this certificate. Please visit: <http://www.dornc.com/electronic/registration/index.html>**

- **Farmers are NOT required to obtain a Certificate of Registration, however, they must complete the vendor application statement attesting items are produced by them on their farm. This statement must be completed on the application when submitted for approval.**

- **Please visit: <http://www.dornc.com/taxes/sales/specialty.html#exemption> for information regarding these new rules.**

Crafts must be homemade and handmade. Craft vendors should furnish two pictures when they apply for their vendor's certificates – one of the craft and one of the vendor completing the craft making process. Vendors of homemade baked goods are allowed to sell coffee or soft drinks to accompany their products.

The Downtown Lincolnton Market offers a token system for debit and EBT/SNAP customers. To accept these tokens, vendors must complete an application through Parks and Recreation/County Finance Department to participate in electronic payment. Customers using EBT/SNAP will purchase \$1 tokens from the market manager or their designee. These tokens can be used for food purchases or plants that produce food from participating vendors. No change can be given for these EBT/SNAP tokens.

Customers using debit will purchase \$5 tokens from the market manager/ designee and can purchase any item at the market from participating vendors. Change can be given for \$5 debit tokens.

Vendors will turn their tokens into the market manager or Parks and Recreation personnel. Parks and Recreation will submit token information to the Lincoln County Finance Department, and reimbursement checks will be sent directly to vendors. Food vendors must accept EBT payment if they want to accept debit payment to participate. Tokens cannot be traded between vendors.



## **Vendor Code of Conduct and Complaints**

All vendors and their representatives will behave towards other vendors, customers, staff, and other visitors in a professional and courteous manner to foster a community in our Lincoln County Markets.

Vendors shall not criticize another vendor, their products, or the market in general when speaking to a customer or other vendors. Vendors shall not “hawk” their products at the market. This means that vendors should not leave their space to seek out customers either verbally or by handing out cards, fliers, food samples, or by any other method. Violating any of the above market rules or guidelines are also violations of the code of conduct.

Any vendor who fails to comply with the rules may lose their market rights with no refund of fees. Market management reserves the right to prohibit anyone from selling at the markets.

Exceptions to these guidelines may be made by the Lincoln County Parks and Recreation department on a case by case basis when it is deemed beneficial to the market. This includes approved special events.

The Lincoln County Parks and Recreation Department has the authority to deny any person the privilege of operation at the markets that is using methods that are detrimental to attendance at the markets or who is contrary to the markets rules, regulations or guidelines. The Parks and Recreation Department has complete authority to interpret and implement policy on the market sites. Parks and Recreation staff has the authority to order and remove any person or vendor from the markets who is guilty of any violation of these market guidelines or who fails to obey any lawful order of the staff.

Any concerns about the actions of other vendors should be shared with the market manager or the Parks and Recreation staff. Concerns should be based on eyewitness accounts of violations. Violations will be discussed and resolution attempted. Vendors selling prohibited items will be asked to remove those items from sale or leave the market.

Any vendor who challenges another vendor’s product(s), legitimacy, display, or conduct must file a written complaint with the Lincoln County Parks and Recreation Department, giving the name of the vendor and the specifics of the situation that may not be in compliance with market rules. The complainant must date and sign the complaint and staff will attempt resolution. The Complainant may not take it upon themselves to discuss vendor’s product(s), legitimacy, display, or conduct with other vendors or customers. Verbal speculation alone is not grounds for investigation.

If a vendor cannot operate as a member of the Lincoln County Farmers Market community in good faith, then s/he will be asked to leave. The Lincoln County Parks and Recreation Department has the sole right to expel a vendor at any time.

### **Hold Harmless Policy**

Lincoln County Farmers Market vendors and other participants agree to take part in the market at their own risk and will not hold the Market, Lincoln County Parks and Recreation, its employees, sponsors or site owners responsible for any legal or financial liability resulting in the participation of thereof all as required by and as more fully set forth hereinafter in the “Hold Harmless Provisions” form.

In consideration of being a vendor with the Lincoln County Farmers Market, vendors must agree to indemnify, protect and hold harmless the Lincoln County Farmers Market/Lincoln County Parks and Recreation from all claims, liability or lawsuits, including reimbursement of attorney fees in defending such claims and damage to real or personal property which arises out of, or results from the acts or omissions of the undersigned or resulting from the activities carried on by the undersigned and its employees, agents and representatives.

Vendors must acknowledge that they have read the market guidelines for the Lincoln County Farmers Market and will abide by them.

### **Contact Information**

For more information, please contact the Lincoln County Parks and Recreation office at (704) 748-1518.

