

Comstock Township Farmers Market



Guidelines and Policies

1. Market Overview

- a. If you have any questions throughout the application process or market season, please contact the Market Manager-
 - i. Katie Bush, Comstock Township Parks and Rec. Program Coordinator
 - ii. farmersmarket@comstockmi.gov
 - iii. 269-343-8212 ext. 2
- b. The Market hours of operation shall be Mondays 3pm to 7pm, from June 3, 2024 through September 30, 2024 (17 weeks) with the exception of Monday, September 2 due to the holiday and an additional 18th market day at the 3rd Annual Fall Festival on Saturday, September 28th from Noon-3pm. The Market is located at Merrill Park, 5817 Comstock Avenue, Kalamazoo Michigan 49048.
 - i. Vendors may set up as early as 1:30pm and may not end their sales until 7pm. Vendors are not allowed to start sales until exactly 3pm. Customers will be instructed not to push the opening of sale.
 - 4 The Market Manager has the authority to close the Market early due to weather or any other issue deemed necessary at no consequence to vendors.
 - 5 Vendors will be notified via email if the Market is cancelled.
- c. The Market's mission is to create an opportunity to sell and buy locally grown/made products through community empowerment and celebration.
- d. The Market's definition of "local" is food that is grown, raised and/or processed in Michigan.
- e. Franchises will be considered on a case-by-case basis by the Market Manager
- f. All vendors, including those on the wait list, must have an up-to-date and fully complete 2024 application on file with the Market Manager to be considered for a vendor space assignment.
- g. Vendors may be asked to complete surveys to gauge impact.
- h. Vendors are selected based upon several factors, including variety and diversity of products; proximity to Comstock Township; adherence to Market Rules and Guidelines; and application detail and completeness.
- i. Vendors consent to give the Farmers Market the right to photograph or video any Vendor or booth for the use of advertising or promotion of the Market.
- j. The Farmers' Market Manager reserves the right to update these Rules and Guidelines at any time. All vendors will be made aware of any changes in writing within 7 days.

2. Vendor Fees

- a. Vendor space fees are waived for 2024.
- b. A vendor fee of \$30 will be refunded in October 2024 to all vendors who meet each of the following requirements:
 - i. Attending all registered markets on time and stay for the duration.
 - ii. Are eligible for the 2025 market.
 - iii. If a vendor needs to cancel a registered market date, vendor must contact the Market Manager at least 24hours before market date.
- c. Vendor spaces are assigned based on several factors, including participation and attendance in the market, variety and diversity of products; proximity to Comstock

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Township; adherence to Market Rules and Guidelines; and application detail and completeness.

- d. Vendors will be assigned only one space. Exceptions may be made by the Farmers' Market Manger.
- e. A vendor space consists of 10 feet x 10 feet. If more room is needed, vendors will need to purchase a second, third, etc. space.
- f. Due to limited parking, vendors will be asked to park at the Comstock Township Hall after set up in order to open up parking for Famers Market customers.

3. Information for All Vendors

- a. All products sold at the Market must meet Federal, State and local preparation, licensing, labeling, and storage regulations. Vendors and their employees are responsible for knowing and adhering to these rules.
- b. All vendors and employees must always conduct themselves in a professional and respectful manner at the Market, with respect to Market management, volunteers, Market customers and visitors, and other Market vendors.
- c. Vendor site sharing must be pre-approved by the Market Manager. All businesses must have a current and complete application on file.
- d. Vendors must display a sign identifying the name and location of the business.
- e. Prices must be clearly posted for each product in a place visible to Market patrons.
- f. Vendors must be ready to sell by 3pm. The vendor will inform the Market Manager of delays or cancellations by phone or email in emergency situations.
- g. Vendors must cancel no later than 24 hours preceding the market to be missed. Failure to notify the Market Manager of cancellations in a timely manner *may* result in the forfeiture of your space, and application fee.
- h. Loading and unloading zones will be available before and after the market.
- i. Vendor spaces must be cleaned by vendors after each market. Waste receptacles in the park are for shopper use; dumping of excess product or waste is prohibited. The dumpster is not available for vendors.
- j. Any resale of commercially produced items must be directly related to a vendor's business, promotional in nature, and must be pre-approved by the Market Manager.
- k. 75% or more of all products offered for sale must be grown or raised on the vendor's own farm (homegrown).
- l. All new products not listed on the vendor's original application must be pre-approved by the Market Manager before sale to ensure product diversity and proper licensing and labeling.
- m. Product sampling must be pre-approved by the Market Manager and must be sampled in accordance with Michigan Department of Agriculture and Rural Development (MDARD) Guidelines for Safe Sampling at Farmers' Markets, (http://www.michigan.gov/documents/mda/MDA_FdSmpIngFarmMkts5-09_279110_7.pdf) and the Kalamazoo County Health Department.
- n. The term "organic" may only be used (in written or verbal marketing) by farmers who are Certified Organic, in accordance with the USDA National Organic Program. Vendors must display their certificate at the market.
- o. Comstock Township has opted out of medical and recreational marijuana establishments; as such, sales of cannabis and related products are prohibited at the Market.

4. Fruits and Vegetables

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- a. 75% or more of all products offered for sale must be grown on the vendor's own farm (homegrown).
- b. In the event of a catastrophic crop failure, vendors may appeal to the Market Manager for an application fee refund prior to October 2024. Part of the Market's mission is to support small farms and businesses.
- c. Resale of a local grower's produce is allowed, provided that the vendor is approved by Market Manager and knowledgeable about the growing practices of that farm on which that produce was grown. Produce resold in this manner must be labeled with the farm name and location where it was sourced and may not exceed 25% of product offered. Refer to section 1.D. for the Market's definition of local.

5. Meats and Poultry

- a. All meats and poultry to be sold at the Market must be owned and raised by the farmer selling them.
- b. All meats and poultry to be sold at the Market must meet Federal, State, and local preparation, licensing, labeling and storage regulations.
- c. All meats must be processed in a USDA-inspected slaughter facility. A USDA seal of inspection must appear on all packages of meat originating at such a plant.
- d. Small poultry producers raising fewer than 20,000 birds may have their birds processed either at a USDA- or MDARD-inspected facility. Product must be labeled appropriately, and producers must have a copy of the MDARD license if processing at an MDARD-inspected facility.
- e. Vendors selling and storing meats and poultry must have a MDARD Food Warehouse License or Retail Food Establishment License; the license must be provided to the Market Manager.
- f. All meats and poultry must be sold packaged and frozen and must be stored at 41°F or below.
- g. All meats and poultry must be labeled with the farm name and address.

6. Fish

- a. All fish products to be sold at the market must meet Federal, State and local preparation, licensing, labeling and storage regulations.
- b. All fish must come from a commercial fisherman or a licensed distributor; the license must be provided to the Market Manager.
- c. Fish must be sold frozen and stored at 41°F or below.

7. Eggs

- a. All eggs to be sold at the market must come from birds owned and raised by the farmer selling them.
- b. All eggs to be sold at the market must meet Federal, State and local preparation, licensing, labeling and storage regulations.
- c. Eggs must be clean, packaged in clean cartons, and stored at 45°F or below.
- d. Each carton must be labeled with the farm name, address, phone number and a "best by" date (within 30 days of the packing date).

8. Dairy Products

- a. All dairy products, including cheese, yogurt, cream, ice cream or gelato, etc., to be sold at the market must meet Federal, State, and local preparation, licensing, labeling and storage regulations.
- b. All dairy products must come from a licensed dairy; the license must be provided to the Market Manager.

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- c. All dairy products must be stored at 41°F or below.

9. Baked Goods and Value-Added Products

- a. All baked goods and value-added goods must be “homemade” (premade items or those made from premade doughs or box mixes are not permitted), prepared using as many local ingredients as possible (products grown, raised, or gathered in Michigan, or value-added products processed in Michigan that include ingredients grown, raised, or gathered in Michigan). Preference will be given to vendors who showcase Michigan ingredients. Vendors must provide a list of locally sourced ingredients, as well as receipts if requested, with their application.
- b. Vendors must display signage at the Market listing locally sourced ingredients and the farm or business from which they were sourced.
- c. All products must comply with local, state, and federal labeling requirements, including allergen labeling.
- d. All baked goods must be prepared in a licensed kitchen unless such items meet the criteria identified in the Michigan Cottage Food Law; the license must be provided to the Market Manager.
- e. All products prepared under Michigan Cottage Food Law:
 - i. Must be non-potentially hazardous that does not require time and/or temperature control for safety, as defined under the Law. See <https://www.michigan.gov/mdard/food-dairy/michigan-cottage-foods-information>
 - ii. Must be properly packaged and labeled with all information specified by the Law (see above link). Labels must be provided to the Market Manager with the vendor application.
 - iii. Must be pre-approved by the Market Manager.
 - iv. Must be sold directly to the consumer by the producer who prepared the goods.

10. Prepared Foods

- a. All prepared, ready-to-eat foods to be sold at the Market must meet Federal, State, and local preparation, licensing, and storage regulations. A license must be provided to the Market Manager upon application.
- b. All products must comply with local, state, and federal labeling requirements, including allergen labeling.
- c. Vendors must display signage at the Market listing locally sourced ingredients and the farm or business from which they were sourced.
- d. All vendors preparing food on-site must adhere to local fire codes and County requirements for personal and fire safety during the Market.
- e. Preference will be given to vendors who showcase Michigan ingredients. Vendors must provide a list of locally sourced ingredients, as well as receipts if requested, with their application.

11. Food Trucks:

- a. All prepared, ready-to-eat foods to be sold at the market must meet Federal, State, and local preparation, licensing, labeling and storage regulations. A license must be provided to Comstock Township’s Parks and Recreation Department upon application.
- b. The food truck must be licensed by a County Department of Health and Community Services, with copies of licenses/permits submitted with the application.
- c. A Special Transitory Food License (MCL 289.6137) is required for food trucks.

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- d. Food truck vendors must provide a copy of their Fire Marshal Safety Inspection Approval with their application. (kalamazoopublicsafety.org/Resources/Food-Truck-Registration)
- e. All prepared food vendors selling, hot, ready-to-eat items or who are preparing food on-site must carry liability insurance in the amount no less than \$1,000,000.
- f. The Market requires that prepared food vendors name Comstock Township as additional insured on their farm/business liability insurance policy and provide proof of that coverage.
- g. Food truck vendors are required to provide your organization's certificate of General Liability Insurance in the amount of \$1,000,000 per occurrence. Motor Vehicle Liability Insurance policy in the amount of \$1,000,000 per occurrence combined single limit for Bodily Injury and Property Damage. Coverage shall include all owned vehicles, non-owned, and hired vehicles. All coverage shall be endorsed to reflect the following as Additional Insured: "Comstock Township, its elected or appointed officials, employees, volunteers, boards, commissions, representatives, and agents." (It is understood and agreed by naming Comstock Township as additional insured, coverage afforded is considered to be primary and any other insurance Comstock Township may have in effect shall be considered secondary and or excess.)
- h. Sign the "Comstock Township Farmers Market Hold Harmless Agreement" indicating that the Comstock Township Farmers Market is not responsible for any damage or injury. This agreement is part of your application.
- i. A photograph of the mobile food vending unit must be provided to Comstock Township's Parks and Recreation Department upon application.
- j. A copy of State issued photo ID for all employees working at the mobile food vending unit is also required upon application.

12. Plants and Flowers

- a. All potted plants, herbs, bedding plants, nursery stock or cut flowers sold at the Market must be grown by the vendor selling them.
- b. All growers or businesses selling nursery stock or herbaceous perennials must be licensed by the state of Michigan. See <https://www.michigan.gov/mdard/plant-pest/plant-health/nursery-licensing-and-inspection>

13. Arts and Crafts

- a. Art and craft items may be considered for sale. All items must be approved by the Market Manager.

14. Other Vendors

- a. The Farmers Market may assign available spaces to otherwise non-eligible vendors, like nonprofit organizations and community groups who support the Market's mission.
- b. Interested groups must submit an application and a letter detailing their intent (including any items or materials to be sold or given away), as well as how their organization or business's mission reinforces the Market's mission.

15. Wait-Listed Vendors

- a. Vendors who have applied to be part of the Market are eligible to sell, but were not assigned a table will be placed on the wait list.
- b. In the event of cancellations, the Market Manager will contact waitlisted vendors to fill a space based on the needs of the Market and the timeline.

16. Liability Insurance

- a. The Comstock Township Farmers Market assumes no responsibility and shall not be liable for any damage or injury.

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- b. The Comstock Township Farmers Market requires that vendors either:
 - i. Name Comstock Township as additional insured on their farm/business liability insurance policy and provide proof of that coverage.
 - ii. Sign the "Comstock Township Farmers Market Hold Harmless Agreement" indicating that The Comstock Township Farmers Market is not responsible for any damage or injury.
- c. All prepared food vendors selling hot, ready-to-eat items or who are preparing food on-site must carry liability insurance in the amount no less than \$1,000,000.
- d. Vendors, including food trucks and prepared food vendors are required to name Comstock Township as a certificate holder on their insurance policy.

17. Vendor Sites

- a. Vendor must bring all materials need for site. There are no tables, chairs, or electricity.
 - i. All approved pop-up canopies or tents must be weighted down with at least 25 pounds per leg. Weights must touch the ground and connect securely to the upper frame corners. Unweighted or insufficiently weighted tents can be a serious safety concern, and vendors are responsible for all damage caused by their tents. Stakes will not be acceptable.
- b. Music Policy: Vendors may play music at their stalls if it adheres to the following conditions:
 - i. It's not being played during a live music or entertainment performance at the Market.
 - ii. The vendor has the licensing to play any copyrighted works in public as required by law.
 - iii. The volume of the music does not hinder or infringe upon other vendors' abilities to do business and/or Market staff and volunteers' abilities to manage the Market and assist shoppers.
 - iv. The music does not include "strong language or depictions of violence, sex, or substance abuse."
- c. Generators
 - i. Silent generators are allowed but must be confined in the 10x10 site space
- d. No Hawking- Hawking (the calling out to Market customers by a vendor), outcries, or other methods of attracting the attention of customers passing by is unacceptable under any circumstances.

Code of Conduct

• APPROPRIATE CONDUCT / VENDOR EXPECTATIONS

- Each of us is responsible for helping to create a safe, positive, welcoming Market experience. Vendors are expected to act respectfully towards all other people at the Market.
- **NON-DISCRIMINATION POLICY:** No vendors shall refuse to allow the purchase of any produce, goods, or participation based on race, religion, color, creed, gender, political affiliation, sexual orientation, national origin, sex, age, marital status, gender identity, height, weight, or mental or physical ability. Violation of anti-discrimination laws, or behavior deemed to violate such laws, may result in eviction from the Market with no refund of fees or rents paid.
- **ANTI-HARASSMENT POLICY:** The Farmers Market is committed to creating and maintaining a thriving marketplace that is free from all forms of harassment. Harassment

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in any form is unacceptable. Sexual harassment may include, but is not limited to, unwelcome conduct such as physical contact; sexual advances; discussions, remarks, “teasing,” or “jokes” of a sexual nature; and other verbal or physical harassment of a sexual nature. Vendors who witness harassment should immediately report it to the Market Manager.

- **NO OBSCENE OR THREATENING LANGUAGE OR SIGNAGE:** While participating in the Market, the use of any obscene or threatening language or display of any obscene or threatening signage, including hate symbols by staff or vendors is prohibited. Vendors are expected to cover or remove any hate symbol or display of any obscene or threatening signage from their person or vehicle while in the Market space on Market Day.
- **PROMOTING & CONNECTING WITH THE MARKET ONLINE**
 - SOCIAL MEDIA
 - FACEBOOK: facebook.com/Comstock_Township_Farmers_Market
 - We encourage you to follow the Comstock Township Parks and Recreation page on Facebook. Please tag the Market in your post. When you tag us in your posts, Market staff are more likely to see it and share it. If you post without tagging (or if you post and your profile is “private”), your posts may be missed or unable to be shared.
 - **IMPORTANT:** To avoid customer confusion, maintain brand consistency, and best assist in our promotion and marketing efforts, please refer to the Market as Comstock Township Farmers Market
 - Portions of Vendor Applications will be publicly viewable to provide customers with information about current vendors, their products, processes, practices, and more. This is another reason it is especially important to be clear, thorough, and accurate when completing the Vendor Application.

RULE ENFORCEMENT & PENALTIES Failure to adhere to any of the Guidelines, Policies, and Code of conduct or falsification of the Vendor Application may result in forfeiture of your space, removal from the Market, and/or forfeiture of application fee. The Market will operate by a “three strikes” policy, whereby the third violation will result in suspension from the market for an amount of time to be determined by Market Manager based on the severity of the offense.

- The Market Manager shall be charged with the responsibility of interpreting and enforcing rules and maintaining order at the Market. If an issue cannot be resolved using the processes below, the Market Manager has the authority to make the ultimate decision. Rule violations will be addressed according to the following schedule:
 - **FIRST VIOLATION:** The Market Manager will communicate a verbal warning of the issue and document the warning.
 - **SECOND VIOLATION:** Market Manager will issue a written warning, or letter of non-compliance, including an explanation of which policy has not been observed, the steps that need to be taken to come into compliance, and the requested timeline in which those steps should be taken.
 - **THIRD VIOLATION:** A third violation will result in loss of vending access and participation at The Farmers Market for the remainder of the season, or possible permanent expulsion from the Farmers Market.
- **IMMEDIATE EJECTION FROM MARKET**

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- If any vendor or person violates the Rules & Guidelines or Code of Conduct or creates a disturbance which interferes with the operation of the Market, the safety of any Market participants, or the vendors' orderly conducting of business, Market Manager may order such person or persons to leave the premises. Any person who remains after being ordered to leave will be trespassing. Any vendor who is ordered to leave and does not do so will be immediately excluded from further participation at future Farmers Markets conducted by the Township. Market fees will not be refunded.

For questions or clarifications, please contact Katie Bush, Comstock Township Farmer' Market Manager, at 269-343-8212 ext. 2 or farmersmarket@comstockmi.gov

I do, hereby, certify that the above information is truthful and accurate, as to my best belief and knowledge and agree to abide by all rules and regulations contained in the Township's Farmers Market Guidelines and Policies and Code of Conduct.

Vendor Name _____	Market Manager _____
Vendor Signature _____	Market Manager Signature _____
Date _____	Date _____



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