



Rules and Guidelines

Brookfield Village Farmers Market 2016

18725 Hoffman Ave.

Thursday, June 2 – October 7

3:00 pm to 7:00 pm

Brookfield Village Farmers Market Manager: Lisa Schultz

Phone: 414-628-4187

Email: brookfieldvillage1836@gmail.com

Rules and Guidelines

- I. All merchants must stay for the duration of the Market from the hours of 3 pm to 7 pm. If there is a need to leave early, please consult the Market Manager.
- II. If parking is required outside of your assigned permitted space, use street parking on 186th Street and Pleasant Street, as well as the Pleasant Street Parking lot, just one block north.
- III. If Season Holders are unable to attend a specific Market, you must contact the Market Manager by **Tuesday** of that specific market week via email or phone.
- IV. Please sign and return the last page to the Market Manager on opening day.

The following rules therefore are necessary to meet the stated goals and to operate the market in a fair, safe and efficient manner. By applying for and participating in the market, merchants agree to abide by these market rules.

I. All merchants must abide by, and all products must comply with all applicable federal, state, county and local regulations. All produce shall be sold by legal weights and measures or in consistent quantities such as bunches, boxes, etc. Merchants are responsible for having their scales certified for compliance.

II. The merchant is responsible for obtaining all licenses or permits required for the sale of his her product to the public. Copies of such licenses/permits shall be submitted to the Market Manager upon submitting an Application for Permission to Sell. Whenever necessary, the merchant shall submit copies of any applicable license/permit renewals.

III. Space is assigned on the basis of seasonal or daily stalls by receipt of a completed application with all necessary licenses/permits/fees attached. Dated postmarked/hand delivery receipts will determine the order in which spaces are assigned. Current season merchants have priority stall reservation privileges for the upcoming season, which shall be secured with a deposit.

IV. The Brookfield Village Farmers' Market is an outlet for Wisconsin-produced items such as homegrown fruits, vegetables, meats, cheese, eggs, bakery products, cider, maple syrup,

sorghum, fresh and dried flowers, herbs, houseplants, jams and jellies candy, pickles and other prepared food products.

A. The following products are not permitted for sale or distribution:

1. live animals;
2. products that are processed and sold under a brand name other than the merchants;
3. the sale of any goods not grown or produced by the merchant or merchants' family members, the reselling of goods or the sale of goods that have been traded or bartered.

B. Exceptions:

I. Because, historically, certain products contribute to the foundation of a Wisconsin market, they are exempt from the general "merchant must grow or produce" rule. These include cheese, meat, sausage, poultry, baked goods and candy. The following rules apply to these products:

- a. The merchant may sell no more of a processed product than can be produced from the raw materials that the merchant produces and delivers to the processor or the merchant must operate the processing plant;
 - b. The intent of the market is that the processing merchant shall participate on a regular basis in the physical production of the item;
 - c. The merchant must not have a retail outlet store except at the plant;
 - d. It is the intent of the Market to provide a place for non-franchised, family owned, Wisconsin producers, not for those who are just merchandisers and purveyors.
 - e. Beverage is the only exception to the "Wisconsin-grown" rule and will be allowed only on approval by the governing bodies of the Village of Brookfield Farmers' Market.
- All other rules apply.

II. The Market Manager may, on a case-by-case and limited basis, exempt a nonprofit community organization from these rules.

C. The Market Manager has the authority to interpret the market rules and approve/disapprove product offerings in accordance with the market rules.

D. Requests to sell products, which are not eligible for sale within these guidelines, must be submitted in writing to the Village of Brookfield Farmers' Market Board for consideration. Such requests must be submitted no less than thirty (30) days in advance of the desired sale of the new product.

V. Rules for Sale of Specific Products

A. Raw Fruits and Vegetables:

1. If cultivated, must be grown from trees, seeds, transplants or cuttings taken by the merchant, and cannot be purchased or bartered for;
2. Must not be processed or adulterated.

B. Nuts and Grains:

1. If cultivated, must be grown from trees, seeds, transplants or cuttings taken by the merchant, and cannot be taken or bartered for;
2. If gathered, must be collected by the merchant;
3. Must not be processed or adulterated.

C. Bedding Plants, House Plants and Herbs;

1. Must be grown by the merchant from seeds, cuttings or plugs;

2. Purchased plant materials must be grown on the merchant's premises for at least two months before they can be offered for sale at the market.

D. Nursery Stock:

1. Must be grown by the merchant from purchased seedlings, cuttings or stock; or from stock seedlings or cuttings raised or taken by the merchant;
2. Purchased stock must be grown on the merchant's premises for at least two months before it can be offered for sale at the market;
3. Must be grown in a licensed nursery;
4. The intent of the market is to provide a place for growers of greenhouse and nursery stock, not for those who are just merchandisers and purveyors.

E. Flowers and Ornamentals:

1. Must be grown or gathered by the merchant;
2. The value of the arrangements may not be increased by the use of decorative fasteners, hangers, bows, ribbons or containers;

F. Eggs:

1. Must be produced by hens kept by the merchant.

G. Honey:

1. Must be produced by bees kept by the merchant in the state of Wisconsin;
2. Must not be adulterated;
3. Vendor/honey producer must manufacture the candles themselves.

H. Maple Syrup:

1. Must be produced by the merchant from sap that he/she collects.

I. Sorghum:

1. May sell no more of the final product that can be extracted from the amount of raw materials they can produce.

J. Apple Cider:

1. Must be grown and processed by the merchant,
2. The merchant may sell no more cider than could be produced by the amount of apples the merchant has grown and delivered to the processing plant.

K. Fish: (requires a state license)

1. Merchant must grow fish in Wisconsin and be certified by the Department of Natural Resources for the purposes of aquaculture;
2. Must sell no more of the final product that can be produced from the amount of fish the merchant grows and delivers to the processing plant for processing;
3. Product must be held at required temperatures and dispensed under sanitary conditions; proper disposal of ice melt is required.

L. Prepared Food Products

1. Merchant must produce the major ingredient and supply all required licenses.

VI. Sampling Procedures. All samples offered by merchants must meet the following criteria:

- A. Samples must be stored in rigid, sanitary, covered containers until serving and held at temperatures specified by the City Health Department.
- B. All samples must be pre-cut away from the Market premises.
- C. All samples of processed foods must be prepared in a licensed kitchen facility.

D. Samples should be of adequate size and proportionally spaced to minimize customer handling.

E. All samples must be held at required temperatures and dispensed under clean and sanitary conditions. (i.e. toothpicks provided)

F. All merchants giving free samples **MUST provide a waste container** in a prominent place and labeled for use by the public.

VII. Merchant Conduct

A. Parking is free and restricted to the designated area, and to one vehicle with or without a trailer per single stall. If vehicle and/or trailer length exceeds available parking in the designated area, that vehicle must be relocated to a distant lot as directed by the Market Manager.

B. Merchants may begin setup no earlier than 2:00 p.m. and finish setup no later than 3:00 p.m. The market runs until 7:00 p.m. and the area must be cleared by 8:00 p.m. Clearing the area means that merchants must clean up their sales and parking areas completely before leaving the site, taking any waste and garbage with them. Merchants agree to pay any service fee that may be assessed by the Market Manager as a result of their failure to comply with this rule.

C. Merchants shall not create or permit loud or disturbing noises on the grounds that will interfere with the rights, comfort or convenience of the other merchants or the public. No merchant shall operate or allow the operation of any radio or other sound-producing instrument at a sound level which may annoy or disturb other merchants or the public.

D. The running of any gasoline or diesel motors or engines, including all vehicles, is not permitted.

E. Smoking is not permitted.

F. Merchants shall conduct themselves in a manner that is courteous to the other merchants, market personnel and the public. Behavior, which is threatening, abusive, or harassing, is a violation of market rules but also may be subject to police action.

G. Merchants are not permitted to display products in such a manner as to impede pedestrians' to or on walkways.

H. Signs are encouraged, to identify the merchant or business name.

I. Merchants using tents or umbrellas must have them sufficiently secured to avert them from endangering the safety of others. Tents or canopies must also fit within the merchant's stall and not infringe upon neighboring selling space.

VIII. Payment for membership fees shall accompany the application for market space. Any application submitted without the required fee will be returned without any action.

IX. Insurance. Merchants are responsible for their own personal liability and product liability insurance.

X. Inspection. Representatives of the Village of Brookfield Farmers' Market shall have the right to conduct an inspection of the production areas of those products sold by a merchant at the Market. The merchant will be given 48 hours notification prior to an inspection. Failure to allow such an inspection will constitute a violation of Market Policies and the procedures outlined under "Enforcement of Market Policies" will be followed.

XI. Enforcement of Market Rules.

A. A merchant, market visitor or any market personnel may submit to the Market Manager or Market Board a signed written complaint against a merchant upon reasonable belief that a violation of Market Rules has occurred or is occurring. The Market Manager will conduct an investigation of the complaint. The Market Manager may also initiate an investigation on his/her own authority.

The investigation will include the following:

- The basis for filing the complaint;
- Where the alleged violation occurred;
- Location of the complainant filing the complaint at the time of the alleged violation;
- Time at which the alleged violation occurred and by what means time was verified;
- Identification of others who witnessed the alleged violations;
- If the party filing the complaint cannot identify other witnesses, the Market Manager will attempt to contact others who may have witnessed the alleged violation;
- Follow-up investigation of any persons identified as witnesses to the alleged violation;
- Investigation of the merchant against whom the complaint was made;
- Evaluation of all information gathered during the investigation;
- Determination as to whether there is sufficient cause to believe a violation of Market Policies has occurred.
- Recommendation of appropriate sanction if sufficient cause is found to believe a violation occurred.
- Preparation of a written summary.

B. In recommending a sanction, the Market Manager may consider the type of violation, the seriousness of the violation and whether the merchant has a record of previous violations. Sanctions may include a written warning, suspension or expulsion from the market with or without refund of all paid fees. The Market Manager may recommend that the merchant be billed for costs incurred as a result of particular violations such as the failure to remove waste materials from the assigned areas.

C. If the Market Manager finds insufficient cause to believe a violation has occurred, the merchant, complainant and the Market Board shall be notified and the decision of the Market Manager is final.

D. If the Market Manager finds cause to believe a violation has occurred, the Market Manager shall discuss the findings and recommendation with the merchant. If the merchant accepts the recommended sanction, it shall be implemented and no further action is necessary. If the merchant does not agree, the vendor may request that the Market Board meet to review the matter within thirty (30) days of the Board's receipt of a written request from the merchant.



E. Nothing in these enforcement procedures shall preclude market personnel, security or police from taking immediate action to stop any activity that can reasonably be deemed a danger to the health or safety of anyone present at the market.

F. Nothing in these enforcement procedures shall prohibit informal resolutions of rules violations (meaning that the formal investigation process is not used), as long as a record is kept of the merchant, violation and resolution.

Please sign and return no later than June 2, 2016

Our Mission Statement:

The Brookfield Village Farmers Market was created to encourage social gathering and create healthy shopping alternative within this historic district of the city. The Market fosters the sale of a diverse mix of Wisconsin – grown products and produce while boosting agricultural heritage of the region.

Name _____ Date _____

Business/ Farm _____

Please initial:

_____ I have read and accept the rules and guidelines for the Brookfield Village Farmers Market.

_____ I give permission to the Brookfield Village Farmers Market to use my image or images of my business for advertising, Facebook or social media to promote the market.

_____ All tents and umbrellas need to be secured or tied down, or it will **NOT** be allowed up. Each leg will be required to have minimum of **25# weight each** or secured.

_____ I have submitted the application, fees, licenses, insurance and all permits to the Market Manager.

Signature _____ Date _____

Market Manager Signature _____ Date _____