



Boulder County Farmers Markets

2018

Rules & Regulations

for

Producers & Contractors

Boulder, Longmont, Lafayette & Winter Markets

Table of Contents

1. Mission, Vision, Spirit, Principles	4
2. Market Information	5
3. How To Become a Vendor	6
A. Vendor Types	6
B. Membership Types	7
C. Vendor Evaluation Criteria	8
D. Vendor Visits	9
E. What Can Be Sold	9
F. Required Documents	12
G. Fire Code (Boulder Specific)	12
H. Pricing Structure	13
4. Vendor Compliance Requirements	15
A. Market Operations	15
B. Conditions & Liability	20
C. Fines & Penalties	21
5. Finance	22
A. Fee Bag Process	22
B. Market Currencies	23
C. Taxes	24
6. Sign and Agree	25
Appendixes	
A. City of Boulder Fire Code	
B. Zero Waste Agreement	
C. Boulder County Public Health Food License Guide	

1. Mission, Vision, Spirit, Principles

The Mission of the Boulder County Farmers Markets (BCFM) is to support, promote and expand local agriculture, making fresh products accessible to our community, and strengthen relationships between local food producers and food consumers.

The Vision of BCFM is to be a steward of local agriculture; a harmonious financially strong organization growing in reputation and cultural relevance, with increased market sales, solid alignment between farmers and food producers, and recognition as a thought-leader and innovator in the local foodshed.

A. Spirit of the Market

The success of the market is the result of a collaborative partnership between BCFM, the vendors, and the markets' customers. Our mutual objective is to continue to increase the availability of high-quality local foods and the customer demand for those foods. In order to support this objective, preference is given to those vendors who clearly demonstrate adherence to the principles of local.

B. Foundational Principles

In the case of BCFM, "local" is generally defined as being from the front range with preference given to producers and contractors from Boulder County. Specific exceptions, however, can be made by the BCFM Board of Directors such as those entities which are in long standing with the organization or in cases where an entity provides a needed element of supply that is not readily available within the local area. For example, fruit growing entities from the western slope.

BCFM operates producer only markets. Farmers may sell only the product (such as vegetables, grains, flowers, seeds) they grow on owned or leases properties. Ranchers may sell only the animal products raised on their owned or leased properties. Packaged and prepared food vendors may sell only items, which they produce with the exception of beverages provided by prepared food vendors.

BCFM is a membership-operated organization. Approved full-time vendors are members. Memberships consists of voting and non-voting members. Voting membership consists of approved full-time producer members. These members have the right to vote on various issues as described in the BCFM bylaws. These rights are the result of producers' historic role in establishing and maintaining the market as well as the critical nature of their product to the markets' success.

2. Market Information

Boulder Saturday

Time: 8am-2pm

Dates: Saturdays April 7th, 2018 - November 17th, 2018

Location: 13th St. between Canyon Blvd. and Arapahoe Ave. Boulder

Boulder Wednesday

Time: 4pm-8pm

Dates: Wednesdays May 2nd, 2018 - October 3rd, 2018

Location: 13th St. between Canyon Blvd. and Arapahoe Ave. Boulder

Longmont Saturday

Time: 8am-1pm

Dates: Saturdays April 7th, 2018 - November 17th, 2018

Location: Boulder County Fairgrounds at 9595 Nelson Rd. Longmont

Lafayette Thursday

Time: 4pm-8pm

Dates: Thursdays June 7th, 2018 - September 27th, 2018

Location: TBD

Winter Market

Time: 9am-3pm

Dates: December 1st & December 2nd

Location: The Exhibit Building at the Boulder County Fairgrounds located at 9595 Nelson Rd. Longmont

3. How To Become a Vendor

Participation in BCFM markets is by application. For all markets, highest priority will be given to Boulder County Farmer/Rancher producers and existing members in good standing.

Applications and all required fees are required annually, and are subject to annual approval by the Board of Directors (Board).

All BCFM application fees are non-refundable. Notice of application approval will be completed annually, by March 1st. The Board may reject a product if it determines the product does not fit within the mission and goals of the organization or if that product is already being offered by a returning vendor in good standing. An applicant who does not agree with the Board decision regarding a product may appeal the decision in writing to the Executive Committee of the Board.

Applications vary dependant on vendor types.

A. Vendor Types

The follow language is used to describe various vendor types as defined by BCFM. Each vendor type has a differing application process and fee structure.

1. *Producers*: Farmers and ranchers are collectively referred to as producers.
 - a. *Farmer*: Any entity or individual that grows its own produce (e.g., plants, flowers, herbs, vegetables, fruits, nuts, seeds). BCFM farmers can sell only produce that is grown by them on land they own or substantially control.
 - b. *Farm Crafter*: a person or entity that sells handmade, agricultural-based crafts made predominantly of material grown or gathered on land owned or leased by the person or entity. The agricultural material must be the focus of the craft product.
 - c. *Rancher*: Any entity that raises its own livestock, including but not limited to, beef, poultry, pork, goat, rabbit, mutton, and lamb, for sale as a processed product or offers animal byproduct (eggs, cheese, milk). For animal products to be eligible to be sold at BCFM markets the animal must have spent at least ½ its life raised by the rancher at market.
2. *Contractors*: Packaged food vendors and prepared food vendors make up the class of contractors.
 - a. *Packaged Food Vendor*: These entities prepare and package food in a licensed, non-copacking facility and intended for home consumption. Local sourcing ingredients is encouraged and given preference in the application process.
 - b. *Prepared Food Vendor*: These entities prepare food at the market for consumption on the premises. Local sourcing ingredients is encouraged and given preference in the application process.

3. *Youth Member*: Young farmers, 15 years or younger, who wish to sell their products at the market shall coordinate with the operations team to do so on a space-as-available basis. Youth members do not have minimum attendance requirements, do not have voting rights.
4. *Market Guests*: Producer or contractor vendors who prefer to participate in only a portion of the market season or for which there is only limited space at the market available. Applications to be a guest vendor are accepted on a rolling basis throughout the market season at the discretion of the Operations team. Market guests may be approved by BCFM's Operations team without board approval and participate in 6 or less market dates for each market. If market guests wish to participate in more than 6 market dates they must receive approval from the Board.

All producers and contractors wishing to become a vendor, whether new or returning, must submit a complete application on an annual basis in accordance with current procedures and deadlines. To be considered, returning vendors must be paid in full for the previous season's balance. All 2018 application fees must be received at the BCFM offices by January 23, 2018 for application to be considered. All final application approvals are made by the BCFM Board of Directors.

B. Membership Types

BCFM has two types of memberships:

Voting Members: Producers and Farm Crafters that have been accepted to the market and attend at least 90% of a full market-season (e.g., 30 weeks of 34 week season) are Voting Members and are eligible to vote on issues in their membership year as described in the BCFM bylaws. Any member who participated in the previous year's market and did not attend a minimum of 90% of the market days they have agreed to attend from the prior season will lose the right to membership for the current year. Voting Members are eligible to receive an assigned space. Only one membership will be extended per producer entity.

Producers who, due to seasonal restrictions on their crops (e.g., honey, fruit), have a shorter availability than vegetables and other produce and are unable to provide product during the entire season. These members must outline their schedule in their application. Provided these members attend at least 90% of their scheduled market days they are eligible to vote on issues in their membership year as described in the BCFM Bylaws and are eligible to receive an assigned space during their attendance.

Non-Voting Members: Packaged and Prepared food vendors who are accepted as full-time vendors are Non-Voting Members and are eligible to participate in BCFM activities such as town-hall meetings and surveys providing strategic feedback to the BCFM board.

C. Vendor Evaluation Criteria

Vendors are carefully selected to enhance the market environment and offerings. BCFM uses a weighted grading system as described below.

Sourcing: The BCFM mission is to support local agriculture. Accordingly, highest rated vendors will source 100% of their product within Boulder County, and when ingredients are not available within the county will source within Colorado. (20% of overall grade)

Quality: Highly rated vendors will have high-quality products and ingredients that are minimally processed, taste good, and are aesthetically displayed. Criteria includes both products and thoughtful booth presentations which consist of a clean tent, clear signage, pleasing displays, easy access, and easy shopping. (20% of overall grade)

Conduct: Every vendor is not only the face of their own organization but also a face of the market in general. Highly rated vendors will be owner-staffed and actively contribute to improving the vitality and viability of the marketplace through excellent customer service and positive interactions with all customers and fellow vendors. They will have few customer/vendor complaints and concerns are handled professionally. (20% of overall grade)

Attendance: Consistency is critical in attracting buying customers to the market. It is important that vendors make a commitment to attend the market at least 90% of their season or more. (15% of overall grade)

Commitment: BCFM spends considerable resources promoting the markets and establishing customer trust. It is vital that vendors contribute to this trust by supporting the BCFM mission and vision. Highly rated vendors will participate in and support BCFM programs, be responsive to BCFM outreach efforts, advertise their products truthfully, and communicate respectfully with staff, fellow vendors, and the public, offer constructive feedback and act in the spirit of collaboration. (10% of overall grade)

Sales: Relative sales are a good indicator of relevancy to the marketplace. In addition to meeting the minimum sales threshold of \$10,000 per market year, highly rated vendors will demonstrate appropriately increasing demand at the market year-over-year. (5% of overall grade)

Variety: Vendor offers a desirable product that is not readily offered by other vendors at the market. (5% of overall grade)

Fee Payment: Highly rated vendors will routinely pay weekly fees and turn in fee bags on time. (5% of overall grade)

D. Vendor Visits

BCFM reserves the right to visit any vendor's farm or place of business and authorizes its staff to conduct such visits. The primary purpose of a visit shall be to determine whether the vendor

is producing the products the vendor is selling at the Market. Vendor visits shall be carried out on behalf of BCFM's Board of Directors by BCFM staff or their designees. Vendors shall be notified in advance of visitations. Visits shall be scheduled as follows:

1. All new vendors shall be visited in their first year at the market; Samples shall be requested from contractors.
2. Every vendor shall be visited no less than once every five years, preferably once every three years.
3. Vendors who make significant changes to their operations including, changing or adding farm sites, and/or product categories, e.g. meats, dairy, etc. may be visited following such change(s) at the staff's discretion.
4. BCFM reserves the right to visit a vendor's facility more than once in the same season.
5. BCFM reserves the right to request invoices of seed and ingredient purchasing history.
6. The resale of any products that are not grown or produced by the vendor, except as expressly allowed in the Rules and Regulations, is strictly forbidden and is cause for TERMINATION of membership. A notice and hearing procedure has been established by the Board and will be used if a vendor or customer believes a rules violation is occurring. See the BCFM Bylaws for details.

E. What Can Be Sold

Operating producer only markets means no resale is allowed. All produce and products sold at the markets, with the exception of canned beverages in the food court, must be grown or produced by the vendor. These beverages must be approved and follow all standards set forth below.

Any changes or alterations after a vendor's application has been approved to crop lists or menus must be requested in writing to the Operations Manager and approved before the produce is sold at markets. If an item is identified at market by BCFM and has not been approved, that vendor is subject to a fine.

Producers may sell the following at markets with board approval:

- Agricultural Products (Unprocessed) - This category includes fruits, vegetables, grains, flowers, bedding plants, and potted plants. All agricultural products must be grown in Colorado. The seller must grow bedding plants and potted plants from seed, plug, cutting, bulbs, or bare-root. No resale of pre-finished plants is allowed. Transplanted plants must be grown to the point where the roots fill the pot (roots hold the soil when the pot is removed).

- Agricultural Products (Processed) - This category includes meat, eggs and milk. For animal products to be eligible to be sold at BCFM markets the animal must have spent at least ½ its life raised by the rancher selling at market.
- Cottage Food Items. Vendors selling approved Cottage Food items must provide proper certifications to BCFM in the application.
- CSA Pickups. Producers are encouraged to have CSA pickups at the market. A CSA pickup is the collection of goods that have been paid, in advance, for the entire season. For tax compliance, any exchange of cash, check, or electronic payment conducted at the market are required to be recorded on the daily fee slip under gross sales. To avoid having to record CSA sales, please ensure your pickups are pre-paid. Boulder customers picking up deliveries may not drive onto the market street between 6am and 4pm on Saturdays or between 2pm to 10pm on Wednesdays.
- Honey. Honey producers must manage 100% of their hives, from which they intend to gather and sell honey at the market, in Boulder County or adjacent neighboring counties during the entire season which bees gather nectar. Priority will be given to beekeepers providing honey for the market that was produced on hives located in Boulder County during the entire period which nectar was gathered. If there are no honey producing hives in Boulder County priority will be given to beekeepers in adjacent counties.
 - BCFM honey producers must clearly label all jars of honey and provide information that conveys information highlighting the manner in which the honey was produced and where it was produced. Because there are no accepted definitions of “raw” honey, honey producers who promote or label their honey as raw must clearly define to their customers what raw means for their product including processing temperatures. This information must be located either on the label or with literature provided at their market booth.
- Mushrooms. Selling wild-collected mushrooms in any form is prohibited at the Market. Cultivated mushroom growers must comply with all federal, state, and local authorities.
- Value-Added Agricultural Products: Defined as a change in the physical state or form of a raw agricultural product (such as milling wheat into flour or making strawberries into jam). To be considered a producer item, the contents must be at least 75% grown on that member’s farmed property (with three exceptions noted below).
 - Mead. Honey sourced for the production of mead must meet the honey production standards set forth above.
 - Wine. For producers making wine, fortified wine, and hard cider made from grapes, grape must, other fruits or fruit products, must be 100% grown on that member’s farmed property.

- Wool and Fiber products. The wool and fiber in textile products must come exclusively from the vendor's animals. Necessary trimming materials that do not come from the vendor's animals (fastenings, assembly and tailoring materials) may be used but shall not exceed 20% of the total product.
- Farm Crafts. Only handmade, agricultural crafts the vendor makes predominantly of material grown on farmed property will be allowed. The agricultural material must be the focus of the craft product.
 - Soaps, Lotions, Creams and other Homecare Products. Review of product will be assessed on case by case basis depending on the product being presented.

Contractors may *not* sell the following at markets:

- No products or beverages with high fructose corn syrup, aspartame, phosphoric acid, and/or artificial flavoring may be sold at market.

F. Required Documents

Producer

These documents are due at the time of application:

- Signed 2018 Rules & Regulations
- Zero Waste Agreement
- 2018 Crop/Product List
- Lease of Farmed Property (if applicable, see Vendor Compliance for more information)
- [Food License Certification Form](#) - (must be filled out by all producer that sell potentially hazardous foods like meats, eggs, cheese or value added goods)

These documents are preferred at the time of application:

- City and State Sales Tax License
- Weights & Measures

These documents are due at the time of approval:

- Current Liability Insurance
- Food License (if applicable)

Packaged

These documents are due at the time of application:

- Signed 2018 Rules & Regulations
- Zero Waste Agreement

- 2018 Ingredient/Sourcing List
- Copy of Commissary Agreement
- [Food License Certification Form](#) - (must be filled out by all packaged food vendors to ensure you have the proper license for your product)

These documents are preferred at the time of application:

- City and State Sales Tax License

These documents are due at the time of approval:

- Current Liability Insurance
- Applicable Food License (see Boulder County Public Health food license guide here)

Prepared

These documents are due at the time of application:

- Signed 2018 Rules & Regulations
- Zero Waste Agreement
- Zero Waste Sourcing List
- 2018 Menu/Ingredient/Sourcing List
- Copy of Commissary Agreement
- [Food License Certification Form](#) - (must be filled out by all prepared food vendors to ensure you have the proper license for your product)

These documents are preferred at the time of application:

- City and State Sales Tax License

These documents are due at the time of approval:

- Current Liability Insurance
- Applicable Food License (see Boulder County Public Health food license guide here)

G. Fire Code (Boulder Specific)

Please see **Appendix A** for City of Boulder Fire Code. If you are a vendor in Boulder you will need to comply with all of these regulations.

H. Pricing Structure

Application Fees: A one-time \$100 application fee is paid by each vendor for application to BCFM. Applicants may apply to as many markets as desired at no extra cost. Application fees are due at the time of application.

Space Fees: Space fees are of two types: one-time and per occurrence. Producers, Farm Crafters, and Contractors pay a yearly fee at the time of application approval. Market Guests, Community Guests, and Artists pay a fee for each market day attended. The fee amount is

based on a 10' x 10' booth footprint and varies depending on vendor type and market as shown in the following tables. Any sub-divided space is priced on a prorated basis. Space fees are due at the time of application approval.

Daily Fees: Daily fees are paid as a percentage of daily gross sales and vary depending on vendor type and market. Gross sales are defined as all revenue received during the course of the market.

We recognize that in addition to supporting local agriculture BCFM supports and often serves as an incubator to local food businesses. In order to ensure we can continue to successfully serve the community in this capacity BCFM is implementing a minimum fee policy for vendors. This minimum fee helps:

- Offset BCFM's expense of hosting a site in those cases where a vendor's sales are too low for BCFM to recover its costs
- Support the growth and future success of low-volume vendors by reducing the importance of gross sales thresholds in future consideration of participation
- Contribute to increased marketing efforts targeted at increasing customer attendance and average purchase amounts

Inaccurate or fraudulent reporting jeopardizes the markets' future. Vendors are expected to report all sales accurately and risk expulsion for failure to do so. BCFM reserves the right to audit vendor sales at any time without prior notice.

Daily fee calculation example:

Vendor	Gross Sales	Daily Fee Rate	Minimum Fee	Fee Paid
Bob's Bread	\$250	10%	\$35	\$35
Popping Popovers	\$550	10%	\$35	\$55
Roasting Beets	\$1000	10%	\$35	\$100

Pricing Table by Vendor Type and Market

Producers

		Boulder Saturday	Boulder Wednesday	Longmont Saturday	Lafayette Thursday
Application Fee <i>one time</i>		\$100			
Space Fee <i>one time</i>	10' x 10'	\$150	\$100	\$100	\$100
	10' x 15'	\$225	\$150	\$150	\$150
	10' x 20'	\$300	\$200	\$200	\$200
	10' x 25'	\$375	\$250	\$250	n/a
	10' x 30'	\$425	\$300	\$300	n/a
	10' x 40'	\$500	\$350	\$350	n/a
Daily Fee <i>(% of gross Sales)</i>		3.5%	3.5%	3.5%	3.5%

Contractors

		Boulder Saturday	Boulder Wednesday	Longmont Saturday	Lafayette Thursday
Application Fee <i>one time</i>		\$100			
Space Fee <i>one time</i>	10' x 10'	\$150	\$100	\$100	\$100
	10' x 15' <i>(prepared only)</i>	\$200	\$150	\$150	\$150
Daily Fee <i>(% of gross Sales)</i>		13.85%	13.85%	10%	10%
Minimum Daily Fee- Packaged		\$45	\$20	\$35	\$20
Minimum Daily Fee- Prepared		\$55	\$20	\$35	\$20

Market Guests

		Boulder Saturday	Boulder Wednesday	Longmont Saturday	Lafayette Thursday
Application Fee <i>one time</i>		\$100			
Space Fee <i>per occurrence</i>	10' X 10'	\$25	\$25	\$25	\$25
Daily Fee- Contractors (% of gross Sales)		13.85%	13.85%	10%	10%
Minimum Daily Fee		\$55	\$20	\$35	\$20
Daily Fee-Producers (% of gross Sales)		7.09% (includes tax)	7.09% (includes tax)	3.5%	3.5%

4. Vendor Compliance Requirements

A. Market Operations

Animals at Market: We require our vendors to uphold the standards set forth by our market. Our Boulder County markets are pet-free. Please refrain from bringing pets to market.

Arrival/Departure: Vendors must arrive and be ready to sell by 8:00 a.m. on Saturdays, and by 4:00 p.m. on weekdays. Vendors shall start and stop all selling promptly at the opening and close of the markets.

If a contractor plans to not attend a particular market day, s/he must provide 48 hours advance **written** notice prior to the beginning of the market to the Market Coordinator of their market. If a producer (with a weather dependent product) plans to not attend a particular market day, s/he must provide 24 hours **written** notice prior to the beginning of the market to the Market Coordinator of their market. Failure to provide notice to the correct staff member shall result in a \$75 fine per occurrence. Exceptions for medical emergencies may be made at the staff's discretion.

Boulder Specific: At the Boulder Saturday market street access for setup is between the hours of 6:00 to 7:30. Street access will be closed to motor vehicle traffic at 7:45 a.m. Tear down is between 2:00 and 3:30. Vendors must be off of the street by 4:00. For safety reasons, departure of motor vehicles prior to 15 minutes after closing time is not allowed

At the Boulder Wednesday market street access for setup is between 2:00 and 3:30 p.m. Street access will be closed to motor vehicle traffic at 3:50 p.m. Tear down is between 8:00 and 9:30. Vendors must be off of the street by 10:00. For safety reasons, no vehicles will be allowed on 13th Street in Boulder until 2:15 p.m.

General Prohibitions: No playing of electronic music or sound recordings at vendor stands is allowed during market hours.

Requests to bring live animals for educational purposes may be made to Operations. Requests must be submitted in writing to Operations at least two weeks in advance of the affected market. Live animals are permitted only with express and written approval (email acceptable) from operations and their display must be coordinated with operations. The vendor shall take all steps necessary to ensure the public's safety and the animal's well-being during its time at the market.

Government Regulations: Members are expected to comply with any government regulations that may be in effect for activities that take place at the market. These include certification of scales, health rules applicable to samples and food display, statements about being organically grown, eggs, product labels, etc. Compliance with these various government rules is the member's responsibility. The market will monitor and will seek official input as needed to protect the market and its customers.

Leased Land: For any member to bring to the market items produced on leased ground, s/he must meet all of the following requirements:

- Submit a copy of signed lease documents with the annual membership application.
- A map must be provided indicating where your land is leased. Any parcels outside of Boulder County should be noted.
- Provide receipts for seeds, transplants, or other expenses upon request.
- The member or his or her hired agents must do all planting, cultivation, and harvesting. If a third party is hired for plowing, cultivation or any other farming practice, the Board reserves the right to see payment receipts from this third party.
- Leasing will be allowed only if the member has significant risk and investment in the leased operation.

Licenses/Certifications: Vendors must have all required city, county, state and federal licenses and certificates applicable to their business and its operation at the Farmers' Markets AND must submit a current copy of each license/certificate 30 days prior to first market. Failure to provide

required documents will result in loss of market space until such documents are in order. These should be submitted via the current application software or via email to their market specific coordinator.

All contractors, and value-added product manufacturers, must have a current commissary agreement.

All prepared food vendors personnel must be STAR or STAR equivalent certified.

All prepared food vendors (food for immediate consumption) are required to have a hand washing station and follow proper food handling guidelines.

All vendors supplying samples are required to have a hand washing station and follow proper food handling guidelines.

See [Appendix C](#) for a list of required documents. All files must be complete 30 days prior to the first market.

Marketing Organic Produce or Products: If a vendor markets produce or products as being organic, a copy of the current organic certification must be submitted with the membership application each year and must be available for market staff or customer review at the member's stand each market day.

BCFM members are reminded that pursuant to CFR Part 205, Subpart B, Section 205.100 (c)(1), any operation that knowingly sells or labels a product as organic, except in accordance with the Act, shall be subject to a civil penalty of not more than \$10,000 per violation.

While use of the word "organic" in a legal company name or a farm name are not tied to the requirements for organic certification, BCFM members may not display at their market stand a company name or farm name using the word "organic" unless they are certified organic.

Parking: Boulder is a busy market and has a customer perception of crowding and poor parking. This perception is supported when close-in parking is not available to customers, discouraging them from shopping. To maximize the perception of convenience and the number of buying customers, Boulder vendors and their staff shall not park in the parking lots accessible from 14th St and shall not block traffic or use handicapped spaces while unloading or loading. Vendors parked in these areas will be fined \$50 per day for not moving vehicles after one verbal notification by BCFM staff.

Parking passes:

Boulder High School (east parking lot) passes are available for vendors to purchase for \$35 for standard vehicles and \$50 for oversized vehicles.

Limited 13th Street Parking - is by request and approval only. Producers with high volume product will be given preference and all other requests are at the discretion of Operations. There will be a charge of \$50 for these approved spaces. All vendors who park on 13th St. must leave 18 inches between their vehicle and sidewalk as per our city lease.

Longmont has no parking restrictions during market. Vehicles cannot be left overnight and will be ticketed and/or towed by the Boulder County Fairgrounds.

Lafayette parking is TBD.

If vendors are found to be parking outside of these terms there is a \$50 fine.

Safety: Tents, canopies, tables and displays must fit within the assigned space, and tents must be weighed down with at least 140 pounds of distributed weight total, for safety. Failure to weigh tents as described will result in a fine.

All cords in walkways or public areas shall be appropriately taped down or routed, as directed by Operations and staff. Cord covers are available from BCFM on a first come, first serve basis. All vendors are required to retrieve these covers for their use.

There will be a safety fine of \$25 if weights or cord covers are not used.

Sampling: Sampling at market stands must comply with all city, county and state health department regulations and requirements. Except by special permission, vendors may not offer for samples any products or produce they are not selling at the market that day. All samplers must have a handwashing station.

If you are found to be in violation of health code by the health department, you will be assessed a \$35 fine by BCFM.

Signage: Vendors must display signage in a prominent location (truck mounted is allowed) identifying their business name and mailing address or nearest town as it appears on their application.

Letters identifying your business name must be a minimum of 4" in height.

Only vendors with organic certification are allowed to advertise organic. Vendors without organic certification may not use the word "organic" in their business name or any signage. Examples include signage promoting "Better than Organic", "Beyond Organic", or "Organic Made".

If claiming Certified Organic, vendors must display the USDA Certified Organic Logo.

Name identification, Health Department certifications, licenses, and other signage should be displayed the entire duration of market.

Product description signs must be accurate and truthful.

Each vendor should have clear identification of price per unit for each commodity. All prices must be clearly marked or posted.

If a vendor sells out before the close of market, they should display a "SOLD OUT" sign at their booth. Their tent, tables and sign must stay up the entire duration of market.

There will be a \$25 fine assessed for improper signage.

Space Allocation: Space allocation has two aspects: square footage and location.

The number of square feet any vendor may use at BCFM markets is based upon prior year's sales. Markets have sales threshold requirements for space size qualification. Sales thresholds are determined annually by BCFM's Board of Directors based upon market sales trends.

All markets have limited space and need to accommodate as many vendors as possible for a successful market. In the event a vendor reaches a higher sales threshold but additional space is not available, that vendor will be added to a waitlist and additional space will be allocated as it becomes available.

2018 Producer Gross Sales Thresholds

	Boulder Saturday	Boulder Wednesday	Longmont Saturday	Lafayette Thursday
10' x 10'	no sales threshold			
10' x 15'	\$17,500*	\$15,000	n/a	\$15,000
10' x 20'	\$30,000*	\$20,000	\$20,000	\$20,000
10' x 25'	\$45,000*	\$27,000	n/a	n/a
10' x 30'	\$60,000*	\$35,000	\$50,000**	n/a
10' x 40'	\$90,000*	n/a	\$75,000**	n/a

* Due to curb obstructions that divide available space in Boulder, allocation of all increased thresholds is dependent on available space not already assigned.

**Due to the regular trees that divide available space at the fairgrounds in Longmont, allocation of 30' and 40' space is dependent on available areas not already assigned.

2018 Contractor Gross Sales Thresholds

	Boulder Saturday	Boulder Wednesday	Longmont Saturday	Lafayette Thursday
10' x 10'	\$10,000	\$0	\$7,500	\$0
10' x 15'	\$40,000	\$0	\$25,000	\$0

The Board will consider exceptions to the sales thresholds on a case-by-case basis. The markets retain control of all currently unassigned space. Such spaces will be assigned at Operations discretion. If a space is not utilized in its entirety at a market by a vendor, Operations may fill the space with another vendor or community group.

Any vendor without an assigned space will be provided a space by Operations. Preference will be given to Boulder County growers if there are more applications than space available. The assignment is for that market day only and may vary from week to week. Since all markets are at or near capacity, it may not be possible to accommodate requests for space changes.

Booth location is determined by the BCFM staff. BCFM seeks to obtain a vendor mix that is optimal to attracting customers and driving sales at all corners of the market. The contributing factors include traffic flow, ingress and egress to the market space, product mix, and vendor appeal. The previous location of vendors with a long history at the markets may be given preference due to a consumer preference for consistency.

Space Clean Up: Vendors shall maintain sanitary conditions around their market stand. Vendors shall have appropriate sanitation equipment and supplies to remove all debris and properly clean up their space at the end of each market. BCFM requires all vendors to sign a Zero Waste Agreement at the time of application. Vendors are responsible for their own trash and compost. Some vendors may be required to take extra steps in keeping space clean, such as a tarp to protect the ground under their booth from oil and other possible stains.

If your space is left unclean or your business improperly disposes of waste you will be charged a \$25 fine. Additionally, BCFM reserves the right to charge any vendor for stains not tended to or fully cleaned within three business days of occurrence. We will charge your Credit Account for any cleaning BCFM or the municipal entity deems necessary.

See [Appendix B](#) for Zero Waste Agreement.

Storage (Boulder Only): Limited storage is available in Boulder by request and will require a per square footage fee. The storage term is April through November. BCFM is not liable for lost or damaged items stored in the shed. All items should be contained, tarped and clearly labeled.

Special Events: (please ask Operations for details, all rules and regulations apply to special events) Open to regular season vendors and guests at the discretion of Operations and include-

- Winter Market (first full weekend in December)

B. Conditions & Liability

Conditions: By becoming a market vendor, s/he agrees to the terms of the Rules and Regulations, the Boulder County Farmers' Markets Bylaws, and any amendments, changes, or revisions thereto. The vendor further agrees to permit inspections of his or her farm or facility to assure compliance with the Rules and Regulations of the markets.

As a condition of participation, the vendor agrees to release and hold the Boulder County Farmers' Markets, its directors, officers, agents, and employees harmless from any and all claims related to or arising from such membership. The Boulder County Farmers' Markets reserves the right to prohibit anyone from participation, membership, or selling at or otherwise using designated space or facilities at markets it owns or operates.

Grievances and Challenges: In order to ensure your concerns and feedback are properly addressed, BCFM has appropriate forms available on its website. For general grievances, whether related to another vendor, a staff member, or the organization visit our website to complete the Grievance Form and submit via the internet or email to community@bcfm.org. For resale concerns, submit the Product Challenge form or via email to community@bcfm.org. All sections of the Product Challenge Form must be completed. The identity of the challenger will remain confidential and will only be known to involved BCFM staff and/or board members.

Harmful Actions: Because BCFM is a membership organization, it is incumbent upon the members to refrain from action that is harmful to its purpose or mission. Members whose actions do, or likely will cause harm to the purpose or mission of BCFM shall lose membership privileges or may have their membership revoked pursuant to BCFM Rules and Regulations and BCFM Bylaws.

Examples of harmful actions include, but are not limited to: attempting to displace BCFM from existing sites; entering into contracts that controvert the BCFM purpose or mission; committing illegal or harmful acts onsite or by a business entity approved to be at market.

Termination: Anyone who fails to comply with the Rules and Regulations or BCFM Bylaws may have her/his right to participate revoked with no refund of dues or fees. Any outstanding dues or fees must be paid within seven days of date of termination or collection procedures will be undertaken.

C. Fines & Penalties

Fines and penalties regarding non-compliance with BCFM Rules and Regulations include:

1. Failure to leave space clean or improper disposal of waste - \$25
2. Failure to operate the whole duration of market hours (arrive late or pack-up early) - \$35
4. Failure to email Operations with required notice when not attending the market - \$75
5. Failure to follow safety procedures (tent weights and cord covers) - \$25
6. Selling before market opening or after market close - \$25
7. Pet at market booth that is not providing service as a service animal- \$50
8. Off Site Inspection (subject to change) - \$50
9. Health Violation - \$35

10. Parking Violation - \$50
11. Returned checks - \$35
12. Improper Signage - \$25
13. Selling unapproved product - \$25
14. Market bags including fee slips and market currencies not turned in by the end of next market day - \$15
15. Any vendor who challenges the authority of any staff member or inspector, or who behaves in a rude, violent, threatening, or intimidating manner toward any person at the market may be immediately expelled for the day by the BCFM management. The BCFM Executive Committee may permanently ban such an offender from the market, or impose a lesser penalty at its sole and unlimited discretion.
16. Licenses - Failure to provide copies of legal and health department required documents will result in loss of market space until such documents are in order.
17. BCFM members are expected to behave in a professional and courteous manner at all times. Maligning and derogatory language directed at other vendors and/or their products will not be tolerated. Vendor concerns should be directed to the Operations Manager.
18. BCFM, its staff and representatives, are not liable for any damages, loss of earnings, or other loss by a vendor subsequent to application of the Rules and Regulations of BCFM. Nor are BCFM, its staff and representatives liable in any manner for their non-adherence to these rules which shall be interpreted and applied at their sole discretion.
19. Insurance: All vendors are required to provide a Certificate of Liability Insurance in the amount of one million dollars (\$1,000,000) or greater for each market attended. BCFM must be named as an "Additional Insured" on the Certificate as demonstrated below:

Boulder County Farmers Market
5445 Conestoga Court, STE 150
Boulder, CO 80301

5. Finance

A. Fee Bag Process

A bank bag for fee payment will be provided during market hours. Blank fee slips are included inside the bag. All the slips inside are the same. Complete one copy of the form, writing clearly, and making sure the company or **business name, date, and gross sales figures** are on the form. Put the fee slip into the clear window on the front of the bag, folded **so that the business**

name can be read. Vendors may use an extra form as a receipt for record keeping but the remainder of the slips must be left in the bag. Any person who will be filling out fee slips needs to read these instructions and ensure they can properly complete the fee slip.

When ready to pay, the bank bag should be given to the BCFM staff person at the Information Booth. All Farmers' Market fee slips and daily fees are due at the end of each market day. A grace period of no more than seven days is allowed but not encouraged. Fee slips and daily fees submitted to BCFM later than the end of the following market are assessed a \$15 penalty. All fees must be paid by check so be sure to bring a check to each market. **BCFM does not accept cash payments.**

B. Market Currencies

BCFM markets use a number of currencies as listed below. All vendors are required to accept any currency which can be used for qualifying purchases. BCFM will not reimburse your business if you accept the wrong currency. It is the vendor's responsibility to know what currencies they can and cannot accept. Vendor questions regarding use of currencies can be directed to the Market Coordinator.

Market Bucks, SNAP Coupons, Double SNAP, WIC Coupons, and checks for payment included in your fee bag are credited to your account at full face value. Fees and payments are reconciled weekly. Because Producers regularly accrue large credits, Producers receive reimbursement of credit balances on a monthly basis. Contractors receive a single reimbursement for credit balances, if any, at the end of the market season.

Market Bucks: Many vendors do not currently accept direct credit card payments. Market Bucks are a BCFM generated currency that are provided as a service to both customers and vendors to permit customers who do not have cash to purchase market products. Market Bucks shall be **accepted by all vendors** for any purchase at the market.

WIC (Women, Infant and Children): The BCFM WIC currency can be used to purchase grown edible product such as fruits, vegetables, grains, meats, dairy, eggs, mushrooms, herbs, tubers, edible bulbs, legumes, edible flowers, pods, and micro-greens. Vendors shall not accept WIC for prepared foods, honey, non-edible items, alcohol, potted plants, and plant starts.

SNAP (formerly Food Stamps): SNAP (Supplemental Nutrition Assistance Program) can be used to purchase all items that can be taken home for future consumption, including plants that will produce food. SNAP cannot be used to purchase food designed for immediate consumption (prepared food).

Double SNAP/Harvest Bucks: These coupons are issued to SNAP and WIC users. Double SNAP can be used to purchase fresh fruits and vegetables ONLY. Purchase of meats, dairy, packaged products, prepared products, and non-edible items is not allowed.

C. Taxes

The table on the following page shows various applicable taxes for each market. In all cases, vendors are responsible for their own taxes. However, per BCFM's agreement with the City of Boulder, BCFM will collect tax payments from Producers at the Boulder markets on behalf of the City of Boulder. These collections are paid directly to the City of Boulder. Links to general tax resources are included for your convenience. The information shown is intended to be a guideline only. You should consult a tax professional for detail on the specific taxes for which your organization is responsible.

		Boulder Market Vendors				Longmont Market Vendors			
		Producer	Pkg Vendors	Prep Vendors	FAFCF	Producer	Pkg Vendors	Prep Vendors	FAFCF
		<i>Entity Responsible for Paying Tax</i>				<i>Entity Responsible for Paying Tax</i>			
Tax Authority	City of Boulder	Vendor (collected by BCFM)	Vendor	Vendor	Vendor	N/A	N/A	N/A	N/A
	City of Longmont	N/A	N/A	N/A	N/A	note 1			
	Boulder County	note 2							
	CO State	Vendor	Vendor	Vendor	Vendor	Vendor	Vendor	Vendor	Vendor
	Federal	Vendor	Vendor	Vendor	Vendor	Vendor	Vendor	Vendor	Vendor

note 1: All vendors are responsible for payment of taxes on sales.