

2024 Downtown Berkley FARMERS MARKET OPERATING RULES & REGULATIONS

HOURS OF OPERATION: THURSDAYS, 9:00 A.M. – 3:00 P.M.

The Downtown Berkley Farmers Market Operating Rules (“Market Rules”) are intended to govern the operation and management of the Downtown Berkley Farmers Market (“Market”). Vendors **must arrive no later** than 7:30 AM and stay for the entire market, RAIN OR SHINE. Vehicles must be out of the market space by 8:30 AM. No early loading.

Definitions

- **Market Managers:** The persons designated and authorized by the Berkley DDA (Downtown Development Authority) to manage all aspects of the market, coordinate market programs, and enforce the market policies.
- **Berkley Downtown Development Authority Staff:** Administrative support individuals who work at and on behalf of the market as employees of the Berkley DDA.
- **Spaces:** A space is a single numbered or lettered vending space in the Market, as designated by the Market staff.
- **Vendor:** A vendor is a person or single business entity that has completed the application and is approved to sell at the Downtown Berkley Farmers Market.
- **Producer** is 1) vendor who grows and/or raises and offers for sale one or more of the following items: fresh produce, edible fungi, edible grains, meat/fish, dairy, eggs, live plants, cut flowers, maple syrup and sugar; 2) a vendor who makes and offers for sale value-added and prepared food; and/or 3) a vendor who sells food items that the vendor produces for immediate consumption which are prepared by the vendor at the Market in a licensed unit or prior to the Market in a licensed kitchen.
 - **Artisan** is a vendor who uses creative skills in manufacturing or arranging materials resulting in a finished product and offering for sale one or more of these created items such as: toys, furniture, jewelry, decorative items, holiday greens, apparel, and pottery.
- **Vendor Status:** Based on a vendor’s application, the Market Staff will assign each vendor a single vendor status of Seasonal Vendor or Drop-In Vendor using the following definitions:
 - **Seasonal Vendor:** A vendor who commits to the entire season (note that 2 skip days will be allowed) and is approved to attend the market for a specific season. Seasonal Vendors are Producers or Artisans who have been assigned a specific space for the entire season. A Seasonal Vendor must attend all market days to retain their Seasonal Vendor status. A Seasonal Vendor who does not attend all market days during the season due to extenuating circumstances may petition the Market Managers for a waiver. Any Seasonal Vendor who does not attend all the market days and does not submit a waiver will lose their Seasonal Vendor status and be placed on the Drop-in Vendor List for the remainder of the Market season and the following season.
 - **Drop-in Vendor:** A vendor who is approved to attend the market *when space allows*. Drop-in Vendors are producers or artisans who are assigned a specific space on a per “Market Day” basis.
 - **Mobile Food Vendor:** A Mobile Food Vendor may only attend the Market on predetermined dates as assigned by the Market Managers. At the discretion of the Market Managers, a Mobile Food Vendor who does not attend the Market on an assigned date

may lose the ability to attend the Market for the remainder of the season. Mobile Food Trucks are required to provide a copy of \$1,000,000 (minimum) Liability Insurance Policy with the Berkley Downtown Development Authority as additional insured and must be a valid mobile food vendor operating with STFU or food service licenses.

Market spaces are on an asphalt street/parking lot.. **We are unable to supply tents, tables, chairs, umbrellas, or other equipment.** There is no electricity or running water on site. Bathroom facilities are portable units equipped with hand washing facilities. No smoking, vaping or e cigarettes permitted except in designated areas.

ACCEPTED ITEMS

For the 2024 season, the Market has space for approximately 60-80 vendors at our outdoor market. The following items may be sold at the Downtown Berkley Farmers Market with approval from the Berkley DDA and the Market Managers:

- Poultry and Seafood
 - Farm Produce (fruits, vegetables, herbs)
 - Greenhouse and Nursery Products (flowers, succulents, trees, other plants) • Value-Added or Prepared Food Items (must have original license displayed onsite and a copy on file with the market managers.)
 - Cottage Food Items that fall within the Michigan Cottage Food Laws (Review regulation at the MDARD website, [Michigan Cottage Food Laws](#)). All processing and packaging must be done by the vendor, in their primary residence, and have required labeling.
 - Original artisan products, including artwork, clothing, personal care goods, metals, wood, and other handcrafted items. The Market does not permit kits, imports, resale, or pre-manufactured goods.
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- All food and products offered for sale at the Market must be Michigan Grown or Michigan Made by the vendor who offers the product for sale.
 - All food and food products offered for sale shall be fresh, clean, wholesome, and safe for human consumption and shall be handled, stored, transported, and offered for sale in a sanitary manner.
 - Vendors shall not misrepresent the quantity, quality, type or origin of food or products in any way.
 - Only vendors that have obtained authorization from the Market Managers may participate in the Market. Each vendor space must be controlled by the registered vendor or their designated representative, as provided in writing on their application.
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- Submission of a completed application does not guarantee a spot in the market. The Market Managers are responsible for the final selection of vendors and reserve the right to **accept or reject any applicant for any reason.**

Other Participants

The Market welcomes community organizations, sponsors, and market partners to our market. Approval of these participants is up to the discretion of the Market Managers and the Berkley DDA.

Vendor Requirements

- All items must be approved by the Market Managers.

- A current application must be submitted, approved, and kept on file with the Market Managers prior to selling at the Market.
- All vendors must submit a full application with all supporting materials. • All applicants must supply, appropriate license/s, and all supporting materials with their application to be considered.
- Each vendor must provide copies of all current and valid licenses, registrations, certifications, and permits required for operation by local, state, and federal law.
 - Perennial Plant License from MDARD
 - Applicable Health Department License
 - Copy of MI Sales Tax License
- All food and farm products offered for sale must be from sources which comply with the rules and regulations of the Oakland County Health Department and the Michigan Department of Agriculture & Rural Development as defined by the two health agencies. These requirements must be met before an application's consideration.
- As a vendor for the Market, you agree to be photographed and give permission to have your image online including, but not limited to, Instagram and Facebook.

General Operation

- Vendors must supply their own tables, chairs, tents, and other equipment. All tents are required to be freestanding **and weighted**. Vendors **MUST** use a tent with weights for the safety of everyone at the market. The market area is paved and does not allow for stakes.
- Vendor set-up may begin early and must be completed by 8:30 AM. Vendors **MUST** have their vehicle out of the Market area by 8:30 AM. Late arrivals or restocking must be done by hand cart or wagon after 8:30 AM.
- **No early departures**. Once you have committed to the Market, you are required to stay until you have cleaned your area after 3:00 PM.
- Tear-down is for two hours after the end of the market. Everything must be removed from the market area within this window: your space must be cleaned and cleared of all refuse, or you will be charged for clean-up on employer time at a minimum of \$25.
- Mobile Food Vendors shall arrive at the time determined by the Market staff and shall set up only in their designated area, which shall be assigned by Market staff upon their arrival. • Approved vendors are expected to participate with the Market for all dates indicated on their application. Vendors who miss their assigned market dates, without 48-hour prior notification to the Market Manager, could forfeit their space for the remainder of the season. Vendor space fees are **not refundable for no shows**.
- If the Market staff officially closes the Market due to threatening weather or an emergency, vehicles may enter to load after customers are safely out of the area. In the case of extreme or severe weather, the Market Managers will do their best to communicate changes. The Downtown Berkley Farmers Market [Facebook](#) and [Instagram](#) account as well as the Berkley DDA website will have the most up to date information in weather related situations. • Smoking and vaping are prohibited at the Market, including Porta Johns. This includes e cigarettes.
- Alcoholic beverages are not allowed at the Market or to be consumed at the Market at this time.
- No soliciting or distribution of literature is permitted in the Market.
- All vendors are responsible for their employees and designated representatives. • Vendors only use assigned parking space(s) for parking vehicles and for storage of

products.

- Vendors and their employees need to park in designated areas assigned by the market managers.
- Vendors shall not attract attention to their items for sale by yelling in a loud, annoying, or offensive manner, barking, or by standing outside of the stall area. Use of abusive or foul language will not be tolerated on Market grounds.
- No music can be played during Market hours without permission of the Market staff. • Vendors must always wear appropriate attire and shoes. Inappropriate attire includes crop tops and clothing with overt commercial or political messages on them. Market Staff may send inappropriately dressed market participants home to change their clothes. Vendors are encouraged to ask Market Staff in advance regarding the propriety of their dress to avoid being sent home to change their clothes.
- Applications must be pre-approved and on file before arrival at the Market. If you just “show up” you will not be allowed to sell at the Market.
- The Market Managers will make every attempt to keep vendors in their assigned spaces throughout the season, but space assignments may be changed by the Market Managers (not vendors) no matter of status, based on what is best for the market. Vendors will be notified with as much advance notice as possible of any changes.

Parking

- **VENDORS CANNOT PARK IN THE MARKET’S CUSTOMER PARKING LOT.** After one warning, vendors parking in the market’s customer lot will be subject to suspension (or may be suspended) from the Market. If you have special needs, please discuss them with the Market Managers. If you have employees working at your stall, please make them aware of this rule.
- **NO MOVING VEHICLES ARE PERMITTED IN THE MARKET AREA BETWEEN 8:30 AM - 3:00 PM.** Vendors moving vehicles in the Market area between 8:30 AM – 3:00 PM will receive one verbal warning. For each violation thereafter, the vendor will be subject to suspension (or may be suspended) from the Market.
- Customers may not drive into the Marketplace for pick up. There is a PICKUP area provided, see Market map.

Displaying of Goods

- Displays may not block the view of nearby spaces. All racks must be kept in your space to not block other spaces. If you have a special storage need, please discuss this with the Market staff.
- Vendors shall be required to maintain their space to provide for the safety of all customers and shall not hold the Berkley Downtown Development Authority responsible or liable for any theft, injuries sustained, or damage of any merchandise during Market hours due to their negligence. You/the business agree to indemnify and to hold harmless the Berkley Downtown Development Authority, its volunteers, officers, employees, sponsors, supporters, agents and Market Managers from any loss, liability, damage, cost, or expense which may arise at the Market.
- All vendors shall post a sign with their name and location of their business visibly in their space. All signs are subject to approval by the Market staff.
- Vendors shall keep their spaces neat, orderly and in good repair.
- Vendors shall keep vending activities within each vendor’s designated space.

Repeated offenses to these terms may result in the forfeiture of the vendor’s

spaces/spaces for the season, at the discretion of the Market Managers.

Rule Enforcement

- All vendors, vendor employees/designated representatives, volunteers, Berkley DDA staff and Market Managers are expected to treat each other and market visitors and shoppers in a courteous and professional manner. Any conflict or disagreements occurring during the market must be handled with the utmost discretion away from spaces and customers.
- Vendor feedback must be directed to the Market Managers and be discussed in private, not in front of other vendors and customers. Open criticism or accusations to other vendors or customers is unacceptable and may lead to suspension or dismissal from the Market
- The Market staff has the authority to interpret and enforce the Market Rules. No person at the Market shall refuse to comply with the direction of the Market staff or interfere with the administration of the Market Rules as interpreted by the Market staff.
- The Market staff will resolve any disputes that arise regarding Market operation and may require descriptions of disputes to be submitted in writing.

- The Market staff may deny a vendor the privilege of selling at the Market on any given Market Day due to any violation of Market Rules.
- Market staff reserves the right to revoke vendor's acceptance at any time.

Market Fees (Please see application)

PLEASE NOTE: Your space is not secure until payment is received.

ALL PAYMENTS must be made up front and in full within 5 to 7 days of receiving your confirmation letter. Spaces are secured on a first come, first *PAID* basis.

Please **DO NOT** send in payments until **your application has been accepted** and you receive your confirmation letter. Any money paid ahead of time will not be refunded.

Payment Options

Payments are being accepted via Mail; Drop Off; or Zelle at (248-808-1370)

Make checks payable to (Market Managers) Nada Abbate or Janine Braun and IN THE MEMO SECTION include % Berkley Farmers Market (BFM) and Your Vendor #.

Mailed to or Dropped off at: 3017 12 Mile Rd., Berkley, Michigan 48072

CREDIT CARD PAYMENTS ARE NOT ACCEPTED AT THIS TIME.

Questions

If you have questions about the Downtown Berkley Farmers Market or this information, please contact the Berkley DDA at (248) 658-3353