



The F.R.E.S.H. Project - Shawano Farmers Market 2024

MARKET RULES AND REGULATIONS FORM

The F.R.E.S.H. Project - Shawano Farmers Market (“**Market**”) exists to bring together local growers and producers with consumers to support healthy lifestyles and nutritious food sources. The Market’s mission is to organize and sponsor a farmer’s market in Shawano that will:

- provide Wisconsin farmers with alternative marketing opportunities through a direct-to-consumer marketplace, as well as encourage agriculture entrepreneurship in the region,
- provide consumers with fresh locally grown or produced products in a convenient location,
- provide local crafters an alternative marketing opportunity to sell their handmade products in a convenient location, and
- enhance the quality of life in the greater Shawano area by providing a community activity that fosters social gathering and interaction, free from political and religious influence or persuasion.

The following information provides operating policies and procedures for the Market. They may be reviewed and revised during the season as deemed appropriate and necessary by the Market Manager, the F.R.E.S.H. Project Executive Director, and or the F.R.E.S.H. Project Board of Directors.

Purpose

The purpose of the market is to provide a venue and opportunity for local producers to sell their products. To make the conditions of sale transparent for both vendors and customers, we ask vendors to abide by the following guidelines:

1. Vendors are expected to only sell products that they have grown, raised, produced or otherwise crafted locally. Exceptions will be made on a case-by-case basis, as deemed appropriate to enhance the quality and appeal of the market.
2. To enhance the value of the primary product offered by a vendor, small amounts of complementary goods may also be offered. These incidental offerings may be pre-purchased products offered for resale and clearly marked as such. These offerings must have a clear and distinct value-added relationship to the primary product offered by the vendor (i.e., Primary product – locally produced maple syrup; complementary product enhancer – pancake mix).
3. Vendors who sell locally-grown products may sell farm products from other localities (such as blueberries from Michigan), if the products are purchased directly from the grower and are clearly labeled. These products may account for no more than 20% of annual sales.



4. Craft vendors may only sell goods that have been pre-approved by the Market Manager or the F.R.E.S.H. Project Executive Director. If an opportunity exists for a vendor to also sell a limited amount of locally grown produce, the vendor must submit a request for an exception in order to do so on a week to week basis. The exception, if granted, cannot represent more than 20% of the displayed space in the booth.
5. If a produce or food vendor has an opportunity to sell craft items, they must submit a request for an exception in order to do so on a week to week basis. The exception, if granted, cannot represent more than 20% of the displayed space in the booth.
6. A vendor may be represented by another individual at the Market, however, the primary responsibility for the booth rests with the original vendor or business owner.

Hours of Operation

The regular hours of operation for the Market will be from 8:00 AM to 12:00 PM, Saturdays, from June 22nd - October 12th, 2024. Vendors, non-profit organizations, and information booths may start setting up as early as 6:30 AM, and must be ready for business by 7:45 AM.

All vendors, including non-profit organizations and informational booths, must remain open and operational for the entire time the market is open.

The only exception to these hours will be on July 13th and October 5th, when the Market will stay open until 1:00 PM in support of Shawano Fest and Oktoberfest, respectively. All vendors, including non-profit organizations and informational booths, participating in the Market on these dates will be required to stay open for business until 1:00 PM.

Market Location

The Market will be held at Franklin Park, 235 S Washington St, Shawano, WI.

Vendor Stalls

The Market will have stalls measuring approximately 12' x 12' available for long- and short-term lease during the market season. Vendors may lease multiple stalls (adjoining stalls) to create a larger space if required.

There are a limited number of stalls with close access to electrical outlets and will be available on a first-come first-serve basis, and the vendor's demonstrated need for electricity. Vendors who require access to electrical outlets should state the reason why electricity is needed on their application forms (i.e., list equipment to be used). Vendors are responsible for bringing their own extension cords, power strips, etc.

"Easy-ups" canopies and portable tables are allowed within the parameters of the stall. If using a tent or canopy, a weight minimum of 25 lbs. (11 kg.) per leg is required to secure the tents/canopy.

No vehicles are allowed to drive onto the grassy areas of the park during the market hours, or for unloading and loading purposes.

Prohibited Types of Products

The Market is intended primarily for fresh food and agricultural products, and handmade products from home crafters and artisans. Prohibited products include, but are not limited to, the following:

- Weapons of any sort. This includes, but is not solely limited to, the following:
 - Firearms (including BB or Pellet type guns, toy firearms, DIY kit firearms, or replica firearms)
 - Antique firearms (functional or non-functional)
 - Firearm ammunitions
 - Knives or swords
 - Clubs, batons, nunchucks, brass-knuckles, etc.
- Tobacco and or tobacco related products
- Alcohol and or alcohol related products
- Vaping equipment and or vaping related products (including Delta-8, Delta-9, and CBD products)
- New or used mass-produced items such as clothing, games, appliances, tools, toys, etc. that have not been created and or enhanced by the vendor.
- Politically affiliated or themed items (flags, hats, shirts, banners, literature, etc.).
- Religiously affiliated or themed items (flags, hats, shirts, banners, literature, etc.).

Political groups, religious organizations, and individuals wishing to represent such groups and or their beliefs and points-of-view, are prohibited from setting up at the Market for the sole purpose of disseminating, advertising, or proselytizing on behalf of any such party, church, or organization.

Exception to the Rules

From time to time circumstances may present opportunities outside the current rules of the Market that, if pursued, might benefit the overall value of the Market to our patrons.

The Market Manager or F.R.E.S.H. Project Executive Director reserves the right to consider any and all such opportunities to grow or sustain the Market on a case by case basis and to grant exceptions to the rules when deemed appropriate.

No exceptions will be made to allow for any prohibited items to be sold.

No exceptions will be made for individuals wishing to distribute or sell politically or religiously themed products or information, and or to proselytize about their political or religious beliefs.

Licenses, Permits, Regulations, and Taxes

Each vendor shall obtain all licenses and permits required for them to produce, process, and sell their products, comply with all rules and regulations, including the Department of Health, regarding sales of its products, and collect required sales taxes as applicable. State and local inspections of licenses, permits and sales are anticipated – vendors should be aware that all Farmers Markets in the state of Wisconsin are subject to state inspection. It is strongly suggested any required licenses, permits, etc., be in possession of the vendor and available for inspectors.

Vendors making taxable sales in Wisconsin, regardless of whether its sales are mercantile in nature, are required to have a seller's permit from the Wisconsin Department of Revenue (**WI DOR**), unless one of the following applies:

- The seller only sells nontaxable products, such as nontaxable food.
- The seller qualifies for the occasional sales exemption:
 - These taxable sales are less than \$2,000 in a calendar year, or
 - Sales are isolated or sporadic.

For more detailed information about seller's permits and sales tax exemptions, please review the WI DOR Temporary Events document available at www.thefreshproject.org/forms/.

Vendors can register online for their WI DOR Seller's Permit if required:
<https://tap.revenue.wi.gov/btr/>.

All vendors using heating elements or open flames are required to have a working fire extinguisher at their stalls at all times.

Becoming a Vendor

To become a vendor at the Market, all individuals and or organizations, must complete and submit a Vendor Application Form for consideration to be included in the Market. No person or organization is allowed to sell products at the Market prior to submitting a completed Vendor Application Form.

The Vendor Application Form is available online at www.thefreshproject.org/forms/.

You can also contact The F.R.E.S.H. Project by phone at (715) 526-5206 or by email at dave@thefreshproject.org to have an application sent to you.

Long-Term (Full-Season) Vendor Stall Lease

Vendor stalls may be leased for the full season, which must be paid in full and submitted with a Vendor Application Form at least five business days before the first market date.

Full-season vendors who pay the fee in advance will get their choice of stall location(s), which will be reserved for their exclusive use throughout the entire market season.



Short-Term Vendor Stall Lease

Vendors who do not plan on attending the market for the full season can lease a stall for one or multiple dates. Short-term fees must be paid and submitted with the Vendor Application form at least five business days before the first market date(s) requested.

Short-term vendors will be assigned to a stall location based solely on stall availability, however, every effort will be made to keep these vendors in the same general location for all dates they have requested.

Vendor Fees

For specific stall pricing, please refer to the Vendor Application form.

Vendors who choose to pay in advance can pay by check, cashiers check, Venmo transfer, or cash. Advanced payments must be received no later than five business days prior to your first market date. All other fees will be collected at 7:45 each market morning.

Forfeiture of Stall

Any vendor (long- or short-term) who does not arrive at the Market by 7:30 AM to begin setting up, may be refused occupancy for that day (if there are no available stalls) or forfeit their original stall location and be placed in any available stall location. In either case, no fees will be refunded.

Vendors who know they will not be able to attend a market after reserving a stall are asked to please notify the Market Director **at least** 24 hours in advance.

Vendors who paid in advance and are no-shows will not be refunded for the missed market day(s).

Trash / Waste

Vendors who provide free samples of their products **must** provide a waste receptacle for customers to use.

Vendors must not discard trash generated during their normal operation in or around any of the trash receptacles located in the park / Market area. Vendors must clean up their sales areas completely before leaving, and haul the waste away with them at the conclusion of the market. Leaving the stalls littered with trash will be considered a violation of these rules.

Vendor Conduct

Vendors are asked to be courteous to other vendors, as well as to customers who visit the market.

Vendors may not “hawk” items outside of their booths. If offering free samples, please do so from your stall/booth area.

No threatening, abusive or harassing behavior is allowed. Vendors who violate these rules will be subject to immediate expulsion from the Market for that day.

Since vendors are in such close proximity to each other, we ask that vendors avoid excessively loud or disturbing noises. This includes excessively using horns, bells, whistles, radios, and other sound equipment that may disturb or be annoying to other vendors and customers.

No gas motors or engines, including vehicles, are permitted to run within the confines of the Market spaces.

Charcoal grills are not allowed to be used at the Market.

No smoking, vaping, or other use of tobacco products is allowed within the Market area.

Violations

Vendors are asked to submit concerns or complaints of any rule infraction to the on-site Market Manager or The F.R.E.S.H. Project Executive Director.

Vendors who violate Market Rules will be given a verbal warning of the violation. Complaints will be dealt with in a manner suitable to the violation.

For an immediately correctable violation, such as exceeding stall width or playing music excessively loud, violators will be given a verbal warning indicating the offense and asked to correct the violation. Issuance of each warning will be recorded by the Market Manager.

If the problem is not corrected in a reasonable time, the Market Manager shall issue a written warning. Continued or repeated non-compliance may result in expulsion, without refund of fees, or being permanently banned to participate in the Market.

Right to Appeal

Any Vendor whose vending rights have been terminated and are banned from participating in the Market may appeal the determination. The vendor will have 14 days from the date of receipt of the written determination to file a written appeal with The F.R.E.S.H. Project Executive Director. The F.R.E.S.H. Project Board of Administrators will hear the appeal within 14 days after the receipt of the Vendor’s appeal request. If the determination is reversed on appeal, the vendor’s privileges will immediately be restored and the fee for any missed weeks will be refunded.

In no event shall any person be entitled to recover damages from the Market for being denied vending privileges based on a good faith enforcement of the Market’s rules.



Hold Harmless Clause and Insurance

Each Vendor shall indemnify and hold harmless The F.R.E.S.H. Project-Shawano Farmers Market from any loss, cost or expense, including attorneys' fees, resulting from damage to property or personal injury or death caused by the negligence of Vendor or its servants, agents and employees.

No insurance is provided by The F.R.E.S.H. Project-Shawano Farmers Market to Vendors.

Consent to Rules

Signing and submission of the Vendor Application Form constitutes understanding of and agreement to abide by these Rules and Regulations, and furthermore releases The F.R.E.S.H. Project-Shawano Farmers Market, its employees, agents, representatives, and volunteers working at the Market, and the owner of the land on which the Market is located, from all liability whatsoever for claims of loss, damage or injury to any vendor, their merchandise, their property, or any agents and volunteers working on behalf of vendors.

For further information contact:

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