



Rules and Regulations

Summer Outdoor Market 2024

Market Hours of Operation

Every Saturday May 4 thru Oct 19

Market is open from 8:30 AM to 12:00 PM

This is a 24-week commitment

MISSION STATEMENT

Waverly Farmers Market (IA) aims to add to the sustainability of locally produced foods from farms in the community.

Market Location

The WFM is located south of the fire station in the South Riverside Park (south of Fire Station).

What It Takes To Be A Vendor

Producer Only Market: Approximately 70% of items sold at market need to be grown or made by the vendor(s) themselves. Growers are responsible for both planting and harvesting the product. Meat producers are required to raise the livestock and have it processed in the appropriate processing plant. Craft items will need to be created by vendors (no flea-market, antique, or third hand items). All other items to be made by the vendors.

Vendors should reside and produce goods in Bremer County or adjacent counties. (These include: Black Hawk, Butler, Cerro Gordo, also Floyd and Chickasaw). Exceptions: The market may make exceptions for specialty items not available within the usual geographic area at the discretion of the market. Ex. beef, pork, milk, cheese, mushrooms, etc.

Underage vendors will need to have an adult sponsor (over age 18) when selling at the market. Those aged 15-18 may earn the right to maintain their own stall once they have established that they are responsible and capable of handling their own business.

It is now mandatory that WFM vendors maintain a **commercial general liability policy** that does not exclude products - completed operations coverage. Policy limit should be a minimum of 1 million per occurrence with a 2 million aggregate limit. **Each vendor policy needs to list the market as an additional insured or contain a blanket additional insured endorsement and provide the market with a certificate of insurance confirming coverage.** WFM is required to upload all vendor certificates to Campbell Risk Management to assist with verification of proper coverage as soon as available and convenient. WFM can not recommend vendors to whom to obtain insurance through. Please consult with your insurance agent.

Vendors selling taxable items must provide a Tax ID upon registration.

Food and Drink (non-alcohol) vendors may be considered at the market's discretion.

The market manager must approve all applications. He/She reserves the right to refuse vendors at any time for any reason. Those applications not accepted will be notified in writing with the reasons for rejection. Individual items may also be rejected depending on the needs of the market and State and County health rules, the market manager may approve partial applications.

WFM does not grant exclusivity to any vendor or product(s) and reserves the right to approve, refuse, or limit products intended for sale based on overall market needs.

Payment for the full season is required on or before May 6, 2023. A daily rate is available for those not able to commit to the full 24 weeks. However, it may be more economical to pay in advance. Please review the schedule and financial obligation accordingly.

The Seasonal Outdoor Market Fee is \$70 for 24 weeks (this also includes the Tuesday market). Those paying daily, the fee per attendance is \$7.

Upon Request - Vendors must provide a copy of all licenses and certifications required by the State or County health departments.

Vendor Rules and Procedures

Market opens Saturday May 4 and lasts until October 19, 2024 (weather permitting).

Vendors paying Daily - Vendor display spaces are limited to 12' square spaces. These are not reserved, or marked off. They are available on a first come basis. It is strongly encouraged you keep within the same location to help returning customers locate you. However, vendors should not in any way interfere with adjacent vendors or block adjacent streets or alley ways. If open spaces occur, the market manager may move vendors to improve the appearance and functionality of the market.

Vendors paying Full Fee - Will have the option to be located under the pavilion. These spaces will be reserved for the season and are based on a first come first serve basis. There will be 10 available spots. Note: while this protects from the sun, rain does blow in and a 'dryspace' during rain can not be guaranteed. Parking behind the pavilion is limited to 4 vehicles; these spots will go to the 1st 4 vendors who request it. All other vendors under the pavilion will need to drop off and park their vehicle on the street.

Market opens for business at 8:30 AM. No transactions should occur until the market whistle is HEARD. Market ends at 12:00 noon. Please try to vacate your stall by 12:30 PM.

Vendor permits must be displayed during market hours. This permit is secured by the acceptance from the market manager and paying the market fees.

Do NOT MOVE road barricades. The market manager will coordinate barricades setup and tear down for safety reasons. Once set up it is expected that vendors will remain the entire duration of the market. If a vendor should need to leave before the market ends, contact the market manager directly. This provides safe movement for our customers, vendors, and any children that may be present.

Vendors are required to comply with all Federal and State regulations. Vendors are responsible for

all licenses and inspections and filing copies of each with the market. Lack of appropriate paperwork may result in vendors being restricted from the market.

Vendor Rules and Procedures (con't)

Proper withdrawal periods are required, as directed by the manufacturer, for any produce sprayed with chemicals prior to being offered for sale. Vendors are responsible for the safe use of any chemical inputs to their products.

Vendors may offer for sale articles for human consumption, such as: fruits, vegetables, nuts, berries, baked goods, edible grains, honey, maple sugars, and syrups. Also non-edibles: handicrafts, pottery, woodworking products or household plants and cut flowers. Processed and on-site prepared goods must meet State law and Department of Agriculture rules.

All plants and vegetable items sold at market that can be purchased as cuttings or plugs, but must be grown by the seller for a period of four weeks before sale at market. Hostas shall be excluded from this provision.

All vendors are responsible for acquiring a State sales tax permit if needed. Vendors are responsible for collecting and reporting the appropriate Local and State sales tax.

Baked goods vendors must label all products according to IA Cottage Food laws updated in 2022. <https://dia.iowa.gov/cottage-food-law>. No items purchased by vendors pre-made or made from purchased mixes are allowed. Soft pies (such as pumpkin), and/or cream or custard filling are not allowed.

Homemade (dairy) butter, dough starters, raw milk, ketchup and other fermented items may not be sold at this market for food safety reasons, without proper licensing. See market manager for further details.

Craft persons and artists may sell their own, good quality, home crafted non-commercial handicrafts and art work. No antiques, flea-market items, or third party items are allowed.

Vendors cannot claim produce as organic unless they have a State organic certificate. An organic certificate must be acquired from the State through an application process. Chemical free and herbicide free may be used if you produce vegetables.

Meat, dairy and egg producers will need to contact Black Hawk County Health Department/Northeast Iowa Inspections Dept. to apply for proper licenses. Milk and cheese cannot come directly from the creamery.

Pricing, tables, chairs, change, bags, and advertising signs, pop-up tents or umbrellas are to be provided by the vendor. Scales certified by the State may be used at market.

All WFM vendors must have all prices posted for the goods they are selling. These prices should be posted so that all interested are able to easily view them.

WFM encourages its vendors to charge a fair and reasonable price for their products. We encourage all vendors to keep their prices within 20% of the highest average selling price posted. As a market practice we discourage drastic underselling of goods.

All produce must be fresh and clean.

All vendors are responsible for cleaning up their area before leaving. Remember, this is City property and we wish to leave it as we found it.

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Sales space is not guaranteed until fees are paid and application is approved by the Market Manager. Throughways for safe, clear, foot traffic must be maintained.

The goal for the market is to offer a quality product at a fair price. The market is for the benefit of the vendors and the consumers.

Smoking/Vaping by vendors is prohibited at their stall or in close proximity to areas used to sell produce. This is in compliance with State law.

Any vendor in violation of market, County, or State rules may be expelled from the market. If expelled, the vendor may be barred from participation at the market in the future.

If violations are suspected, the market reserves the right to inspect a vendor's growing or production site and to request proof of being a producer vendor. This may include necessary documentation and records.

By signing and submitting a farmer's market application, Vendors are permitting WFM and other local organizations (Waverly Newspapers, City Hall, Chamber of Commerce, etc) approval to use photographs or video taken at the market of Vendors, their employees, helpers, family members, booth, and/or items/goods, to be used for publicity and promotional purposes.

The WFM will be held rain or shine. The market manager is solely in charge of delaying, canceling, or closing the market due to inclement weather for everyone's safety. In the event of severe weather, individuals may take shelter within the Exchange building. Fees paid are not refundable.

Enforcement Policies

All rules of the market are enforced by the market manager. Complaints or problems should be directed to the market manager in writing via email at waverlyiafarmersmarket@gmail.com.

If a vendor does not comply with Federal, State or Local regulations, the market manager may take action deemed appropriate including revoking the vendor's right to sell that day or any future market days.

Customer complaints will be forwarded to vendors by the Market Manager. Complaints may result in disciplinary action.

The market reserves the right to visit and inspect the farm of any vendor and to request necessary documents. (Including but not limited to seed purchase receipts, land ownership or rental agreement, etc.)

Vendors must keep current fees updated and documents and certificates updated as they come due. Certificates need to be displayed or available upon request.

The market manager reserves the right to make exceptions when necessary.

Events, Entertainment, Food Trucks

Any individual or organization wishing to set up during market hours must contact the market manager via email waverlyiafarmersmarket@gmail.com to book a date. Multiple organizations may set up on the same day. Musicians or other entertainment will be limited to 1 per day. If set up in the park without prior approval from the market manager (at least 24 hours in advance at the email above), you may be asked to leave.

Food trucks must coordinate set up through the marketing manager. Contact waverlyiafarmersmarket@gmail.com.

RESOURCES

Black Hawk County

Health-<https://www.bhccpublichealth.org/areas-of-focus/community-health-programs> Iowa

Department of Inspections and Appeals - <https://dia.iowa.gov/food/farmers-markets>

Iowa Department of Inspections and Appeals - Home Prepared Food Items Guide/Licensing:
<https://dia.iowa.gov/sites/default/files/document/DIA-FCS-Home-Prepared-Food-Items-Guide.pdf>

Iowa Department of Agriculture-

<https://iowaagriculture.gov/agricultural-diversification-market-development-bureau/fmnp-vendor-information>

Northeast Iowa RC & D - License Guide -

<https://www.northeastiowarcd.org/wp-content/uploads/2020/03/3-Updated-Do-I-Need-a-License.pdf>