

Belfast Farmers' Market

By-laws, Guidelines and Policies

Updated March 2023

STATEMENT OF PURPOSE:

The Belfast Farmers' Market (hereinafter called "The Association") was established to provide local small growers with an outlet for the sale of fresh picked produce and related agricultural products; to foster an appreciation for Maine's rural resources; and to develop sources of marketing, management and agricultural information for its members.

The Association will operate a farmers' market at such site(s) as selected by the membership; establish market guidelines; set quality standards; promote the market; and encourage growth of the local/regional food supply.

BELFAST FARMERS' MARKET BY-LAWS

I. MEMBERSHIP

- A. Members shall conform with the Association's Statement of Purpose and attend all market days marked on their application and adhere to all market policies.
- B. Membership shall be for fiscal year May 1 through April 30th inclusive. Seasonal membership will be offered to eligible applicants whose crop or product is determined to be seasonal by the voting members. Temporary Membership shall be offered from time-to-time as it is determined by a majority of members that a particular need should be filled outside of the regular timeframe for application processing. Temporary memberships should be considered only under the circumstance that a particularly important need is identified by the membership: (i.e. no fresh blueberries in season, or a sudden great number of empty stalls). They may be offered to, in order of preference, a business that has applied in the past, then a business recommended by a member, or businesses responding to an advertisement in appropriate publications.
- C. Membership is open to all interested persons regardless of residence.
- D. Members must pay the annual fees for membership to ensure continued membership rights and privileges.
 - 1. Said fee will be set by the voting membership, and will be reviewed annually. Fees for for seasonal and temporary memberships shall be \$150 for present season (or \$25/ day). These fees will be used to defray the costs associated with the Market site and operations e.g. advertising, publicity, insurance , rent, etc.
 - 2. The membership fee secures membership for one business entity / household / operation and entitles the member to one market stall.
 - a. All household members may attend meetings and take part in discussions.
 - b. Voting is limited to one vote per membership.

- c. Each membership may only provide one officer.
3. Continuing members shall submit a complete renewal application on or before the Annual Meeting. Changes from the previous season will be reviewed and discussed by the membership at the annual meeting. Any changes will be subject to approval by a vote of the current membership. Products may be limited to specific days. Each continuing member shall ensure the market (via the President or Secretary) has an updated copy of appropriate state required licenses and proof of insurance before the market season begins.
 4. Applications for new members will be reviewed at the Annual meeting and be considered for a vote for membership at the meeting to be held after the annual meeting. Applications received between the Annual meeting and the proceeding meeting may be considered for a vote for membership if approved by the majority of the membership ahead of the meeting.
 - a. Each application for new membership will be reviewed and voted on by the current voting membership at a business meeting held on the fourth Sunday in February, unless a different date is set at the annual meeting. Applications for Temporary Memberships shall be considered on an as-needed basis and otherwise require the same consideration as regular applicants. Approval is granted by a majority of the current vendorship at the time of application (meaning, whichever FT vendors are currently at market weekly during that season). Approved Temporary Memberships shall be active for the duration of the existing season (Winter or Summer). Should the member wish to apply for full membership, they would need to do so at the regular time (February). Status of Temporary Membership does not confer preferential consideration at regular application for membership.
 - b. Each applicant for new membership may be required to make a presentation in person to the voting membership at a meeting to be held following the annual meeting.
 - c. Continuation of memberships will be contingent on a satisfactory farm visit conducted by the membership committee. This visit will be conducted at any time during the first season following acceptance, and every three years thereafter or as necessary.
 - d. At the annual meeting, the membership committee shall provide the market members with copies of all applications for new full time memberships
 - e. Participation in the farmers' market(s) is limited to paid up members.
 - f. Late applications will be reviewed only in order to fill gaps identified by the membership committee, and processed within one month of receipt using any appropriate means of member notification and vote.

- g. All new members are accepted on a trial basis for one year and do not have voting rights until accepted as permanent.

E. Members of the Belfast Farmers' Market must comply with the By-Laws and Guidelines of the Association. Upon receiving a formal, written complaint of a member not abiding by the By-Laws or Guidelines, being uncooperative, or otherwise acting detrimental to the market, customers, or other members, the President or Vice-President shall appoint three members to investigate the complaint. If two of these three find that the complaint is valid, a meeting of the membership will be called with full notification of all members. If no resolution can be achieved at the meeting, any member may be removed by a written ballot vote with a majority of the market's current membership voting for removal.

II. STRUCTURE

- A. The Association will be run by officers elected at the Annual Meeting.
- B. The Annual Meeting will be held on the second Sunday in January unless notification of change is made in writing 30 days in advance of proposed date.
- C. Regular business and educational meetings will be held during the year, the number and time to be decided by the membership.
- D. Special meetings may be called by the officers or any four members on seven days advance notice to all paid up members, or at the market when a quorum is present.
- E. In procedural matters, Robert's Rules of Order will be the authority for all meetings.
- F. Decisions requiring a vote shall be decided by a quorum which shall consist of 51 percent of the voting membership.
- G. The Association shall have four standing committees. All members shall serve as an officer or participate in one committee. Chairs for these committees will be chosen at the annual meeting. Committees will develop policies for executing areas of focus. These committees are:
 - 1. Steering Committee. Comprised of Market President and/ or Vice President and other interested participants. Vision a long-term strategy that will continue to help the market move successfully into the future with increased customers and sales and community involvement. Provides big picture direction to standing and ad hoc committees as necessary. Advises market body on policy and management.
 - 2. Membership and Site. This committee shall be empowered to act on all issues of the membership as addressed in the guidelines and bylaws of the Association, including assessing product gaps, soliciting new member applications in a timely manner,

preparing a vendor layout plan to present to market membership for approval, taking vendor attendance on market days and farm/business visits.

3. **Publicity.** This committee shall be empowered to act on the publicity needs of the Association, including but not limited to paid advertising, PSAs, press releases, special promotional events and signage. Budgets and expenditures shall be reviewed and authorized by the membership at regular business meetings.
4. **Market Accessibility and Community Programming.** This committee shall be empowered to develop, fundraise and implement a plan to enhance the market experience and ensure accessibility for all members of the community. (ex, Info Booth, Harvest Bucks, Musicians, Kids Club, story time, parking, etc)

III. ELECTION OF OFFICERS

- A. Elections shall be by written ballot, or by a show of hands, with each membership limited to one vote
- B. A simple majority of the present eligible voters is necessary to elect a candidate.
- C. Officers shall include:
 1. President to preside over meetings, establish agenda, implement decisions of the membership, act as market spokesman, oversee implementation of By-Laws and Guidelines, and endeavor to handle conflict between members.
 2. Vice President to preside at meetings in absence of the President and undertake such additional duties as the president or membership shall direct.
 3. Secretary to take accurate minutes of all regular and special meetings; maintain a legible minutes book, handle association correspondence as directed by the president; maintain a file with copies of all correspondence; maintain a list of available stalls and eligible stall holders; maintain an annual file of copies of members licenses and proofs of insurance; and make a report at all business meetings. The secretary may designate an assistant secretary to help with the taking of minutes at meetings and additional duties as needed.
 4. Treasurer to keep the Association's financial accounts; make reports at all business meetings; supply account summaries to members on request with seven days notice; collect the annual membership fees, and pay costs relating to advertising, insurance, and other market expenses in a timely manner. The Treasurer may designate an Assistant Treasurer to help with the fee collection when absent. All market monies shall be deposited within 14 days of receipt.

IV. AMENDING THE BY-LAWS

- A. Amendments to the by-laws shall be in accordance with Roberts Rules of Order.

- B. All such amendments shall be duly recorded in the minutes, with copies provided to all members by the next business meeting.

BELFAST FARMERS' MARKET GUIDELINES

I. PARTICIPATION

- A. The Farmers' Market consists of local small growers of vegetables and other related agricultural products; local producers of "added value" items such as baked goods, pickles, preserves, etc.; local people involved in catching, processing and distributing Maine seafood products; and any other category deemed acceptable to the voting membership.
- B. It is recognized that although members sell as individuals, the market is a cohesive unit- its success depends on the cooperation and joint effort of all the vendors as a whole.
- C. Members must make, grow, process, or catch all the products they sell at the Market site.

II. ACCEPTABLE PRODUCTS

- A. Products for sale at the Belfast Farmers' Market must be in compliance with the guidelines of the Association. The Market was established as an outlet for local Maine agriculture and related products, and to help promote small-scale agriculture and rural enterprise.
 - 1. Craft items offered for sale must be made by the vendor, or a family member and must be a secondary product to the agricultural products offered for sale. All craft items must be of good quality and should be clearly marked with the makers' name.
 - 2. All produce and agricultural products must have been grown or produced by the vendor or a family member. Items purchased for resale are strictly forbidden.
 - 3. Fresh produce must be grown by the vendor or family member. A high standard of freshness is required. Produce should be picked as close to Market time as possible and handled in such a way as to preserve the fresh quality until Market opens, and throughout Market hours.
 - 4. Promotional materials of a vendor's business are permitted for sale by the vendor as long as these materials do not take up more than 1/4 of their booth space.

III. MARKET SITE

- A. The Market(s) will be conducted at such site(s), upon such days and at such hours as decided by the voting members at the Annual Meeting.

- B. The Market will be conspicuously identified by a neat, legible sign place at the Market site(s), subject to approval of the property owner.
- C. Layout of the Market stalls will be determined by joint agreement of the membership and the property owners.
- D. Customer parking will be clearly designated by conspicuous signs and arranged in insure safety and Market visibility. Parking arrangement are subject to approval by a vote of the current voting membership.
- E. Rent, if any, will be negotiated annually with the property owner or his agent by designated representatives of the Association, subject to approval by a vote of the current voting membership
- F. Vendors must post their name and farm location at their stall each market day.
- G. Vendors must leave the Market site by time agreed to with the property owner.

IV. STALL ALLOCATION

- A. Number and size of stalls available at Market site(s) will be determined by the association officers based on site size and topography.
- B. Stalls at the Market site will be occupied by paid up members on a daily first-come-first-served basis, or by any other means determined by a majority of the voting membership.
- C. Disputes over stall spaces shall be heard and settled by the officers; all such decisions are subject to appeal, to be settled by a vote of the current voting membership.

V. MARKET OPERATION

- A. Knowledge of and compliance with all state regulations regarding the production, labeling, display and sale of all products at the Belfast Farmers' Market is the responsibility of the individual vendor.
 - 1. Sales tax must be collected as required by Maine State law. Maine's sales and use tax law requires tax collection on non-edibles such as crafts. It is the responsibility of each vendor to obtain their own tax numbers, and be familiar with which of their items are taxable, and to collect such taxes and forward them to the State Treasurer.
 - 2. Processors of homemade foods such as pickles, baked goods etc. must comply with Chapter 345 of the Department of Agriculture requirements and assume responsibility for licensing, inspection, etc. Copies of these licenses must be given to the Market President or Secretary annually.
 - 3. Eggs, fish, meat, and dairy products must be handled in a manner acceptable to state regulations, e.g. product must be kept in a cooler or on ice or under refrigeration.

4. Department of Agriculture law requires that fresh produce must be displayed at least 6 inches off the floor.
5. All produce sold by weight must be weighed for the customer at the Market site. Only scales carrying current certification by the Department of Weights and Measures will be allowed, in compliance with State of Maine law.
6. Vendors engaged in growing and selling plants of all kinds must obtain a license from the Maine State Department of Agriculture.

- B. Prices should be displayed clearly, either by use of a price list or with individual signs for each product.
- C. Each vendor selling at the Market will have a good understanding and knowledge of his product, its handling etc.

VI. APPEARANCE AND CONDUCT

- A. Vendors will be neat, suitably dressed, and deal with the public in a courteous and appropriate manner.
- B. All vendors will display their products neatly and attractively, with consideration for the other vendors and the general public.
- C. Vendors are responsible for their own stalls, and will supply all necessary trash containers, and will leave their site clean and in a condition suitable to the officers and property owner.
- D. Hawking and false advertising is forbidden.
- E. There will be no smoking within 50' of market.

VII. APPLICATION PROCEDURE

- A. Applications shall include full name(s), address, and contact information.
- B. Applications shall include primary and secondary products with rough estimate of quantity.
- C. Applications shall include intended days and season of attendance.
- D. Applications shall include all present and prior membership in Farmers' Markets.
- E. Applications shall include at least two references.
- F. New and continuing applications will include copies of all appropriate licenses and proof of the applicant's current insurance policy.
- G. Eligibility:

1. All farmers, gardeners, bakers and others who produce 100% of what they offer for sale and who carry general liability for \$500,000 and possess applicable state permits and licenses are eligible for membership in the market.
2. No one will be accepted into the market without a completed application and all necessary state permits, licenses, proof of liability insurance and payment of annual dues.

BELFAST FARMERS' MARKET POLICIES

I. ATTENDANCE POLICY

All regular Members will submit their attendance dates with their annual renewal application in January.

A market member and a back-up will be assigned to take attendance at every market.

Unscheduled absences shall be reported to the Market President or designated member as soon as possible: a family event would be known about well in advance, and if you have the flu, you probably know at least the day before. Please avoid last minute notifications so that the market has the opportunity to schedule something else to fill in your space for the day (i.e. Belfast Radio has expressed interest in broadcasting a show from there or just setting up a table to promote the station in exchange for advertising time on-air.)

Extended illnesses and other unusual circumstances will be reviewed by the officers of the market on an as-needed basis.

Members accumulating more than 2 unscheduled absences per Season (Indoor and Outdoor), and 1 absence for part-time seasonal members, will be subject to review at the January meeting before voting on new members.

II. PAYMENT POLICY

Dues are set annually by the full membership at the last regular planning meeting of the year.

Dues set for temporary vendors are due in full on or before their first day of attendance at market.

For regular members, compliance with one of the following schedules below is required to be in good standing:

1. A member may pay their dues in full at any time between the meeting in which the dues are set and the first Market Day of the next season they expect to attend. We strongly encourage payments as soon as possible after the budget planning meeting to ensure the continuous smooth operation of the market.
2. Should a member experience significant hardship with complying with this schedule, a member may contact the Treasurer in advance of the first Market Day of the season they expect to attend and arrange the following payment plan:

- The member will pay one-third of their dues on or before the first day of market.
- The member will pay the second installment of one-third of their dues on or before the fifth Market Day of the season.
- The final payment of one-third of their dues will be expected on or before the 10th Market Day of the season.
- Noncompliance with either of these payment plans will result in being subject to review at the February New Applicants meeting before voting on new members.

It is not the Treasurer's responsibility to remind members of anything that is due, please make your own reminder arrangements.

Dues are payable to: The Belfast Farmers Market and may be handed to the Treasurer at the meeting or (ideal!) mailed to the current treasurer. Please avoid handing the treasurer payments at market so that s/he may concentrate on their business during that time.

III. LICENSING AND PAPERWORK POLICY

All applicable licenses and insurance paperwork is required to be on-file with the Secretary at all times. Please be aware of the dates of your renewals and provide copies to the Market as needed. The Secretary will provide a reminder prior to the start date of each Season to check if yours are due.

A member may not participate in any Market Day without complete, up-to-date paperwork on file.

If you have questions on which licenses apply to your business, here's a good resource for finding out: <http://www.maine farmers markets.org/market-members/keeping-your-stand-legal/>