

**SSM's Wednesday Farmers' Market
2010 Vendor Application & Guidelines**

P.O. Box 13691, Salem, OR 97309
503-585-8264

www.salemsaturdaymarket.com

info@salemsaturdaymarket.com

I. The Market Salem Saturday Market's Wednesday Farmers' Market (WFM) is held in downtown Salem on Chemeketa St. NE, between High and Liberty Streets NE. The Market hours are 10:00 AM to 2:00 PM every Wednesday, May through October, rain or shine. The first day of the 2010 Wednesday Farmers' Market season is May 5, 2010.

The Market's purpose is to provide a gathering place in Salem for local growers to market their wares. Market vendors will be juried, to assure that only top quality foods, homegrown plants, cut flowers and produce are sold at the Market.

The Market reserves the right to refuse membership to any applicant, whether they have sold at past Markets or not. The Market also reserves the right to modify these guidelines to clarify issues or circumstances that may not be addressed directly in these guidelines. The Market does not discriminate on the basis of race, color, religion, sex, national origin, age or disability.

The terms "vendor" and "member" are used interchangeably throughout this application and guidelines and should be determined to mean one and the same.

II. The Board of Directors & Employees SSM is a non-profit corporation governed by a 7 member Board of Directors. All Board Members are also vendors with the Market and are elected by the membership. Elections are held in July and members in good standing (no violations on file) are eligible to run for the Board. The Board of Directors supervise all Market employees, including the Administrative Coordinator, Market Day Coordinator(s) and their assistant(s).

The Board is always accessible to the membership. Please respect their rights as vendors when they are selling at the Market, and discuss Board issues at their convenience, or schedule time at a Board Meeting.

A. Administrative Coordinator & Market Day Coordinator(s) manage the day to day operations of the Market. At least one Coordinator is on-site each Market day to supervise all activities required for the daily functioning of the Market, uphold Market bylaws, implement and enforce Market rules and guidelines, etc. The Coordinators act as a conduit of information between vendors, customers and the Board.

The Board of Directors endows the Coordinator(s) with complete authority to interpret and implement policy on the Market site.

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The Coordinator(s) has the right to impose disciplinary action at the Market site. Vendors have the right to a hearing before the Board of Directors, in compliance with the Appeal Process.

The Coordinator(s) has the authority to grant exceptions to Market policies on an individual basis for cause.

III. Fees The fees for the 2010 season will be a \$30.00 annual Market membership fee, plus \$25.00 a day for each 10-foot wide site. The booth fee for each 10' x 15' space (#26 – #38) is \$33.00 a day. There will be an additional charge of \$50/\$75 for vendors who reserve one/two particular space(s) for the entire season. Vendors selling **only produce** are allowed to reserve three spaces. Vendors reserving three spaces will be charged a \$100. reserved space fee. Any fees paid by a vendor over the amount due for membership and/or reserved space fee will be credited toward the vendor's booth fees (no refund will be made to vendor).

Vendors are allowed to pay for a minimum of 10 Market Days of advance booth fees (for either market or both) and receive the 11th Market Day free. You must call in by 7 PM Tuesday evening if you will not be attending Market the next day. Otherwise vendors who have prepaid their booth fees will be charged for a booth space. There will be no refund of prepaid booth fees on account at the end of the season. If a balance remains at the end of the season, the free Market Day will be forfeited and the balance will be applied toward the next season's membership, reserved space fee, etc.

Vendors may pay their membership and reserved space fees with their Visa or MasterCard credit/debit card. To use this service, please write a note to the Market authorizing this payment, along with your credit card number, it's expiration date, the three numbers on the back of your card (usually near the right end of the signature line), the address, including zip code that your credit card bill goes to, if different from your Market address, and the amount you are authorizing, on a separate sheet of paper and include it with your application. **DO NOT WRITE YOUR CREDIT/DEBIT CARD NUMBER ON YOUR APPLICATION.** Once the transaction has been completed the note with your number on it will be destroyed and will not become part of your vendor file. Booth fees may not be paid for with your credit/debit card.

A \$15. returned check charge, over and above the amount of the check, is levied on all returned checks. If more than two returned checks have been received from any vendor or business entity, only cash will be accepted from that party for the remainder of the

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year. Vendor's selling rights will be suspended until both the NSF check and the returned check fee charges are paid.

Please have your check pre-written or correct change when you pay your booth fee at the Information Booth.

Refunds of the annual membership fee and/or reserved space fee will only be made prior to opening day of Market (May 5, 2010). Refund request must be made in writing and received at the Market's P.O. Box prior to the opening day of Market (May 5, 2010).

IV. Membership A vendor may be a sole proprietorship, partnership or corporation. A membership may include family members within the same household, domestic partners, parent(s) and minor child(ren) and people who share a common business name. Non-profit organizations are not eligible for membership.

Each vendor membership receives one vote in elections. One individual shall be the designated voter for the business. That individual must be a partner or the sole proprietor of the business. It is the intent that all recognized members of the business entity are considered members of the Market and are able to earn points, participate in Market activities and obey Market rules and regulations. However, two or more individuals from the same vendor membership shall be awarded points as a single membership (no doubling of points).

The Board of Directors reserves the right to accept or reject membership to any applicant, based on the following criteria:

A. If the applicant has been previously accepted as a vendor, and has three or more documented violations of Market policy.

B. If the applicant has demonstrated actions that could be construed as detrimental to the reputation, operation, or overall well-being of the Market.

C. If the applicant misrepresents themselves or their product to the Market's customers, staff or Board of Directors.

The Board may request information from Market staff and/or membership in applying the above criteria. If the Board chooses denial of membership for any of the above criteria, a written explanation shall be provided to the applicant. The decision of the Board shall be final and binding.

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V. Application Procedure All proposed vendors must submit a completed application and associated annual fees no later than the jury date prior to proposed first day of sales.

Jury dates will be published in the newsletter and/or posted at the Information Booth and the Market's website, www.salemsaturdaymarket.com. Returning Market vendors who are selling the same product as the previous year do not need to be re-juried. If a vendor is returning after one year (or more) absence than they must re-jury. **Produce and cut flowers are not required to be juried.** Returning vendors with new product(s) and new vendors must submit at least two different photos of each of your product lines if juried by mail, or bring items to a Jury Committee meeting to be juried. Products that are different in "materials, means of construction, form or function" from what was previously approved are considered new product lines and must be approved for sale. The Jury Committee will contact you if they need additional information or an in-person meeting to jury your products.

Please mail your completed application to:

Salem Saturday Market, P.O. Box 13691, Salem, OR 97309

VI. Points Points are used to determine standing with regard to obtaining a reserved space. Vendor points will also be used to determine breaking a tie regarding other vendor requests, as they arise. See the guidelines for earning points, which is distributed with the reserved space map.

VII. Product The intent of the selling policy is to enable the customer to buy something from the person who made it, and certain restrictions exist to minimize the participation of those who are not involved with the production, design and finishing of the product. All items must be handmade, grown, cooked, or crafted by the member.

The two main requirements are (1) that the individual who sells the product must be involved with the ongoing design/production and finishing of the product, (2) that members may sell only their own hand-crafted or home-grown products. They may not sell products belonging to anyone else, except in situations of a group booth and as stipulated later.

Items not allowed to be sold at the Market include plants, flowers or produce not grown by the vendor or grown outside of Oregon. Live animals cannot be sold at Market.

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Prepackaged food products, including but not limited to meat and fish, must either be made from product grown, raised or caught by the vendor or produced by the vendor in a licensed kitchen. Commercially purchased products that have not been significantly altered and/or value added by the vendor do not qualify. Prepackaged food products not grown by the vendor and produced in a commercial facility using the vendor's recipe are not eligible. Prepackaged food purchased by the vendor and then repackaged in their facility is not eligible.

Two or more vendors may incorporate their individual products together and sell as a single unit.

No materials which are blatantly offensive, either racially, ethnically, or sexually, can be sold at the Market. The Market will not allow sales of any drug or drug paraphernalia, items promoting the use of illegal drugs or alcohol, or items promoting violence.

No Dumping of Perishable Products. WFM is a retail Market; wholesaling of products is not allowed. Any products priced at less than 60% of the average WFM retail price of similar products will be considered to be wholesaled. Perishable products may be discounted to less than 60% of the prevailing Market retail price during the last hour of each sales day.

While imitation is the sincerest form of flattery, please respect your fellow vendors' ideas and concepts and refrain from copying them.

A. Jurying Process and Guidelines

1) All craft items for sale must be accepted by the Market Jury Committee prior to selling at the Market. The Board of Directors will have the final decision on appeals, as to the appropriateness of any item offered for sale at the Market. New items introduced by an existing vendor outside of their normal product lines will need to be approved, in advance, by the Jury Committee, prior to being displayed and sold at the Market. Items brought to the Market for sale will be subject to further inspection by the Jury Committee, Board Members and/or the Market employees to insure that the product meets the standards approved by the Jury Committee.

Products found that do not meet Jury Committee standards must be removed from the vendor's booth immediately.

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2) Criteria for jurying include over-all quality of hand-made crafts. Products must be safe, have a reasonable life expectancy, and should be an asset to the Market aesthetically.

3) No purchased raw materials or commercially prepared products may be sold, unless significantly transformed through handcrafting to create original quality work by the vendor. No craft items made from kits, reproductions of artwork not created by the vendor, and commercially manufactured clothing - unless substantially altered and enhanced by the vendor will be allowed.

4) Craft items will be judged for quality of workmanship, emphasis on natural materials, and artistic and aesthetic qualities. The starting material must be significantly altered and enhanced by the vendor, and the finished product should artistically dominate any commercial components used in the product.

5) Craft items that involve the consolidation of two or more commercial products without any artistic or creative input from the vendor do not qualify.

B. Vendor Inspections To assure that all products sold at the Market are vendor produced as required in the guidelines, an inspection of the vendor's facilities may occur. Inspector(s) will note production capabilities of the facilities visited and if a discrepancy is apparent, the Coordinator may deny the vendor access to the Market. The Coordinator's decision may be appealed to the Board for final resolution. The Board must respond to written appeals within 30 days of their receipt. The Board has final authority to resolve all discrepancies referred by the Coordinator/Inspector or appealed by the vendor.

Vendors will be contacted 24 hours in advance of the inspection. Vendors agree to allow photographs of their operation to be taken by the Inspector. The Inspector is also authorized to request receipts and/or invoices to support vendor's production claims. If the Inspector cannot verify that a vendor produces his or her own product, membership may be suspended and/or denied. Inspection results may be shared with other Markets.

C. License/Insurance Requirements Required licenses for certified kitchens, nursery sales, preparing food on site and weight scales, along with insurance coverage policies for edibles must be submitted prior to the first day of Market. If these items are not on file you will not be allowed to sell at the Market. Most questions can be directed to the "Direct Marketing Handbook" and "Farmers' Market Guidelines", available from the Oregon Dept. of Agriculture.

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Sellers of nursery products (plants, bulbs or seeds) must be licensed. This includes sellers of trees and Christmas trees. The license is valid for one year, running from July 1 through June 30 of each year. For further information contact Oregon Dept. of Agriculture – Plant Division, 635 Capitol St. NE, Salem, OR 97301-2532. (503) 986-4644.

Processed products are subject to regulations and licensing by the Food Safety Division of the Oregon Dept. of Agriculture. Jams, jellies, preserves, honey, bottled sauces, vinegars, etc. must be processed in a licensed facility and meet the same labeling and processing requirements as those sold in retail stores. See the “Food Processors Handbook”, published by the Oregon Dept. of Agriculture. (503) 986-4720.

WFM is not licensed by the Marion County Health Department for blanket coverage on food service providers. Individual vendors who serve/sell food must be licensed according to the County Health Department regulations. Specific licensing information can be obtained from Marion County Health Dept. (503) 588-5346.

Any vendor handling food, either preparing it on-site or offering samples of food products, including produce, must have a Food Handlers Card. These cards may be obtained online by going to <http://oregon.gov/DHS/ph/foodsafety>, click on the Food Handler Cards in the left hand column, then select one of the four websites which offer the test online. You must have a copy of your card displayed in your booth during Market hours.

Scales used in direct buying or selling of commodities or services by weight must be licensed annually with the Oregon Dept. of Agriculture.

Any vendor selling prepared food, prepackaged food, meats, eggs, fish, cheese and any other food except raw produce must submit a copy of their Oregon Dept of Ag food license(s) with their application, and one copy of their liability insurance certificate, showing effective and expiration dates and which must have at least a 1 million dollar limit.

All applicable vendors must have a copy of their Dept of Ag license conspicuously displayed in the booth at all times during Market hours.

D. Wine Vendors Any vendor selling wine will have either produced the wine at their own facility and/or grown the fruit and oversaw the production of the wine being sold in their booth. Each wine vendor will provide the Market with a copy of their OLCC

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license, a copy of their liability insurance policy's face page, showing effective and expiration dates and at least a one million-dollar limit. Wine vendors must also obtain a permit from the City of Salem for tasting.

Wine vendors may only sell glasses, openers, t-shirts, etc. if they are a portion of a gift pack which includes the vendor's own wine product.

E. Food Vendors All food items must be prepared in accordance with applicable local, state, and federal regulations. All pre-packaged items must be labeled in accordance with these regulations. All food-handlers must be appropriately trained and certified. All processed and baked products must be prepared in an appropriately licensed kitchen. Failure to comply with health department regulations may result in immediate booth closure. Cotton candy, popcorn and other "confectionery" items must be prepared on-site.

All food must be grown, baked, or prepared by the vendor; commercially prepared and purchased foods such as potato chips, or pre-popped popcorn, cannot be sold, but may accompany food prepared by the vendor. The only exception is that on-site prepared food vendors will be allowed to sell commercially bottled beverages.

Food vendors are expected to present their own unique product. Our intent is to provide a varied and healthful eating experience at the Market. Food booths will be juried on the extent to which the products to be sold would be handmade, and of superior quality and presentation.

Food vendors (both on-site prepared and prepackaged) must provide a large, at least 30 gallon, lined trash receptacle for Market use, plus an additional receptacle for their own use. Vendors must provide their own potable water, and covered wastewater disposal. Food vendors using any heating devices must provide an appropriate fire extinguisher. Nothing, including clean water and/or ice is to be dumped down the storm drains, in the port-a-potties or in the landscaping.

All food vendors and any vendor offering food samples must have a portable hand washing facility at their site and a copy of their Food Handlers Card displayed in their booth.

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Minimum requirements would include a container of water which contains an adequate supply of water which flows freely from a tap or spigot. The spigot must be a type which will stay in an open position without being held so that both hands can be washed at once. The facility also needs a catch bucket for the water; soap; and single service towels. Hands must be washed upon return to your booth after leaving it for any reason. Hand sanitizers and moist towelettes may be used but are not permitted as a substitute for these hand washing requirements.

F. Growers Please contact the appropriate state and local agencies, to insure that you meet all legal requirements. Any scales used at the Market must meet State of Oregon licensing requirements. Submit a copy of your scale license with your application and keep a copy of your license on-site.

All products sold as "Organic" must be in compliance with all federal certification requirements. Submit a copy of your organic certificate with your application. All vendors need to honestly represent their products (i.e. organic, spray-free, hormone-free, etc.).

G. Crafters The primary purpose of the WFM's is to provide growers with a retail opportunity but crafters are permitted to sell at the WFM. Crafters without a reserved space may obtain a space at this market beginning at 7:30 am. Growers, prepackaged food vendors and on-site prepared food vendors have priority over crafters at this Market for open spaces prior to 7:30 am.

H. Services Service-providing vendors, such as massage therapists, are responsible for complying with all Oregon and Marion County licensing requirements. A copy of the appropriate license(s) must be submitted with your application. Also submit a copy of your liability insurance certificate, if applicable.

The vendor must submit an application, and have the proposed service approved by the jury committee. The jury process will consider whether the service to be provided will enhance the Market.

VIII. Vendor Do's and Don'ts Vendors who violate Market terms may lose their right to participate in the Market.

Behavior by vendors, their family members or employees that is disruptive, abusive or threatening toward other vendors; the public or staff members is not allowed. Market employees are to be treated with courtesy and respect at all times. Behavior that is

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verbally or physically abusive, dangerous, or disruptive to Market activities will also not be tolerated, and may result in immediate termination of the member's selling rights.

A vendor with WFM may be subjected to the disciplinary sanctions or actions outlined below for any actions or behavior that misrepresents other vendors or staff, is demeaning to other vendors, staff and/or the public, or engages in activities or communications that have the potential to harm or tarnish the image/reputation of other vendors, Wednesday Farmers' Market, the Market's Board of Directors, or staff.

Foul or offensive language will not be tolerated at the Market. Repeated violation may result in suspension from the Market.

No alcoholic beverages (excluding wine vendors) or firearms may be brought into the Market. Members and members' associates (i.e. family members, employees and friends) are not permitted to be intoxicated on site.

Vendors must not use any open flame devices, except as permitted for commercial food vendors. **Vendors may not smoke within the entire Market area, either before, during or after Market hours.**

Vendors may not sell or offer any products or literature deemed offensive, or which may incite violence, crime, or disorderly conduct, or promote political viewpoints.

No petitions or any other printed material, political or otherwise, may be displayed or distributed at the Market without the prior approval of the Coordinator.

A paid employee may sell in place of the vendor no more than 25% of the Wednesdays the vendor participates in the Market. Exception allowed when the paid employee significantly participates in the growing, making or crafting of the end product.

Vendors are responsible for their children and guest(s) at all times. Do not allow your children to run freely through the Market, to disrupt other vendors or Market customers, or to be outside of your supervision at any time.

Vendors must not block any sidewalks or the 20' fire lane on the north side of the Market. Vendors must not attach stakes to Chemeketa St., or place any marks on Chemeketa St. **All vendors must purchase a discounted permit to park in the Marion Street Parkade, on the North end of the ground floor. On-street parking is prohibited for vendors and if you wish to park in one of the City's other parking lots you must**

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purchase a permit from the City of Salem. The Market is required to provide a list of vendor vehicle license plate numbers to the City and any vendor caught parking on City streets will be issued an \$80. citation.

The Market must leave Chemeketa St. clean - leaving behind no garbage, including cigarette butts. No water is provided at the Market, other than the hand washing station at the restrooms. Electrical service is **not** available.

Vendors must not dump oil, wastewater or any other refuse (including clean water and/or ice) into the storm drains, landscaping or any other area in or around Chemeketa Street. Violators may be immediately removed from the Market.

Members must comply with all federal, state, and local regulations, laws, and licensing requirements.

Vendor animals may not be present at the Market at any time. Do not bring your pet and leave it locked in your vehicle either. Vendors selling food products, including raw produce, are responsible for the enforcement of Dept of Ag requirement which prohibits any animal under your canopy space. A sign outlining this requirement is available at the Info Booth.

Please be aware that activities within your booth may have an impact on other Market members. Both sound producing activities (musical instruments, toys, sewing machines, etc.) and odors such as incense and perfumes should be kept to a level that does not bother other Market members.

No Hawking. The intent is for the Market to have a low-key environment. Rules about hawking were created to avoid conveying a carnival atmosphere and disturbing customers and vendors. The Market's definition of hawking is as follows: Calling aloud to passers-by who have not yet expressed interest in a vendor's goods or services; advertising, demonstrating, selling or attempting to sell goods and services outside assigned booth space without obtaining permission from management.

In order to ensure a professional atmosphere and a dependability that your customers can rely on, members must be ready to sell by 9:50 AM and must remain open until 2 PM. **BREAKDOWN DOES NOT BEGIN UNTIL 2 PM.**

A. Garbage Each vendor shall provide their own waste receptacle - at least a 5 gallon container - keep their area free from refuse during Market hours, clean up their

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area at the end of each Market day, and pack out their own garbage. Food vendors (both on-site prepared and prepackaged) must provide a waste container that will hold at least 30 gallons for Market use, plus an additional refuse can for their own use. **Cans must be placed at the front of the vendor's booth so that customers can easily see and use them.** Any vendor placing their garbage in another vendor's or the Market's garbage can(s) will be subject to a written warning. Repeated violations will result in suspension of the vendor's selling rights.

B. Canopies/Displays Each vendor must provide their own attractive tent or canopy, which will fit within the assigned 10' x 10' booth space. Booth spaces will be marked prior to each Market day. Numbers of the spaces are written in chalk on the front edge of the space. No part of the display may extend into the pedestrian aisle, the fire lane, the landscaping or into sidewalk areas.

Canopies or tents are required covering for each space with the exception of produce and plant vendors using a double space; in which case only a single canopy is required. Vendors needing more space must rent an additional booth site. Covered spaces of 200 square feet or larger are required to provide a fire extinguisher rated 2-A:10-B:C. All canopies/tents must have four grounded and weighted corners. Each vendor is responsible for damages incurred due to fly-aways of their display, canopy, inventory or covering.

Decorative or antique display tables may be left undraped. However, all other tables should be covered, and all tables must be draped on at least three sides if the area under the table is used for storage. Each vendor must identify themselves in their booth with a sign or card stating their name or business name, phone number and/or address. **A vendor may sell only within their assigned spaces. Roving peddlers are not permitted.**

Be prepared for all types of weather. Once set up, displays may not be dismantled until closing time – even though that vendor may sell out. In the event of severe or inclement weather the Market Day Coordinator may allow for the early breakdown of displays. During breakdown the utmost care must be taken to insure the safety of our customers and fellow vendors. Early breakdown is only allowed at the discretion of the Market Day Coordinator.

Please be aware of your surroundings at all times and use common sense to prevent theft. Never leave your cash box unattended.

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IX. Reserved Spaces Reserve spacing is for the entire season from the first Wednesday in May through October. Vendors selling **only produce** are allowed to reserve three spaces. A fee of \$50. for a single space, \$75. for a double space and \$100. for a triple space is required with the request for space. Vendors reserving a double/triple space must use all booth spaces at least 50% of their selling days or they will not be allowed to reserve a double/triple space the following year. Crafters may not reserve a double booth space at this Market.

Prior year vendors that have been accepted into the current year's Market can submit a request, and have priority (based on points) for reserved spaces until March 31, 2010. Thereafter, spaces will be assigned on a first come/first serve basis, with vendors having more points breaking any ties. The Board of Directors will determine the number of reserved spaces available. Reserved spaces may not be changed after opening day of Market without forfeiture of the initial reserved space fee. If a vendor wishes to change reserved spaces they must make a written request to the Board of Directors stating the reason(s) for the change. Only spaces unreserved as of the date the written request is received will be available. The vendor must pay a new reserved space fee and their prior reserved space will be made available to any vendor on a first come, first serve basis. Crafters will be limited to reserving booth space within spaces 39 through 65. On-site prepared food vendors will be limited to reserving space within spaces 26 through 38.

If a vendor will not be attending Market they must telephone the Market at (503) 585-8264 by 7:00 PM Tuesday night and leave a voice mail stating same. Failure to advise the Market of an absence will result in a point reduction. **Failure to call in by 7 PM on three separate occasions will result in the loss of your reserved space.**

Produce, plant and cut flower vendors will be given priority for spaces on the South side of Chemeketa Street (facing North). Any South side spaces still available after March 31, 2010 will then be opened up to vendors with other perishable products for reserving. The Market reserves the right to condense Market layout on slower days, based on vendor participation.

If you decide to give up your reserved space at any time, you must let the Market know in writing. After opening Market day (May 5, 2010) there will be no refund of reserved space fees.

X. Sharing Space You may share space with another member. However, each must obtain a separate membership, pay the \$30.00 membership fee and be accepted by the

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jury committee. Members sharing space must be present according to percentage of booth space. If there are two members sharing space, each must be present a minimum of 50% of the time. Each member sharing space will get credit toward membership points and seniority. There can be a maximum of four (4) vendors/members per booth. Each vendor who participates in a shared booth will receive 1 point for each Market Day attended. You must notify the Market Coordinator, at the time of check-in, of the full names of all vendors sharing the booth in order for each to receive a point.

Vendors may share a reserved space booth ONLY if all members submit their application for the reserved space at the same time, reference the other vendor(s) on each of their applications as a reserved booth partner, and the products of each vendor must be blended throughout the booth space. If two or more vendors wish to jointly reserve a space on the South side of Chemeketa St, all vendors' products must be eligible for space in that area. A vendor cannot reserve a double booth space and then allow another vendor of their choice to use any portion of the reserved booth spaces.

XI. Market Services

A. Gift Certificates Customers may purchase gift certificates through the information booth for any amount they choose. Vendors are asked to honor the Market gift certificates from their customers as if they were cash. **Under no circumstances are vendors to give the customer cash back on a gift certificate.** Vendors will be reimbursed, usually the following Wednesday, by the Market when they bring the signed valid certificate to the information booth.

Please be sure to look for the effective and expiration dates on gift certificates.

B. Newsletter A member newsletter will be published on a regular basis.

C. Customer Service The Information Booth will direct customers to your space on any Market day that you participate. If a customer is looking for a member who has not attended the Market on that day, the Market Coordinator will help them contact the vendor by providing the vendor's phone number and/or e-mail. If you do not wish this information to be given out, give the Market Coordinator written instructions stating the same.

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D. MC/VISA Sales The Market offers its vendors the opportunity to do credit/debit card transactions through the Market's merchant services. Participating vendors must sign a MC/Visa contract with the Market and pay 4% of the transaction gross to the Market to cover its expense. Vendors who have already signed up for this service in prior years do not need to sign up again. Contracts are available at the Information Booth. Each membership is allowed only one name (business or personal) for reimbursement checks to be issued to.

E. EBT Sales The Market will process EBT (Oregon Trail/Food Stamp Benefit) Cards through the Market's electronic terminal for vendors selling eligible food products. A list of products qualifying under the USDA Food Stamp Program will be available at the Information Booth. The Market requires all vendors who sell eligible food products to participate in the EBT program.

XII. Internal Complaints

A. Product Eligibility Complaints This is a formal procedure for vendors and others to make complaints alleging that another vendor is not complying with WFM rules regarding product eligibility.

Written complaints about a product's eligibility must be submitted to the Market Coordinator before the end of the market day the alleged violation is observed, on a form provided by WFM and signed by the vendor(s) making the complaint. The complaint must clearly identify the alleged violator, either through vendor name, business name or booth number on the day of the violation, plus provide the Market with evidence of the alleged violation.

The Market Coordinator or a Board Member will convey the nature of the complaint to the alleged violator as soon as practical in person, by phone or by mail. The alleged violator must respond in writing within three days of receiving the complaint to admit or deny the alleged violation with appropriate evidence. Failure to respond to a complaint may result in the determination that the complaint is valid.

The Market Coordinator and/or Board Member(s), along with others with appropriate expertise will conduct an investigation as conditions permit. Investigations may include business visits as authorized on the vendor application. Market management will attempt to resolve most complaints without a formal Board hearing but will notify the Board of all unresolved complaints.

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For situations that cannot be resolved by Market management, an appropriate hearing may be held. If a hearing is held the accused vendor shall have the right to the following:

- 1) The right to face their accuser at the appropriate hearing
- 2) The right to a closed hearing, if requested
- 3) The right to present witnesses and evidence on their behalf
- 4) The right to refute testimony or evidence presented against them with testimony or other evidence.

WFM charges an investigative deposit for filing a product eligibility complaint. There is a \$25.00 filing fee (which can be shared by a group of vendors). This fee is returned if the claim is substantiated.

B. Operational Issues Complaints Members are encouraged to attempt to resolve personal and/or internal conflicts that arise at the Market between themselves. If a situation requires intervention or investigation by Market, members may submit a written operational issues complaint. Complaints must be made before the end of the market day the alleged violation is observed, in writing and signed, on a form provided by WFM. Each complaint must indicate which part of the WFM rules may have been violated. Complaints regarding Market operational issues will be investigated by the Market Coordinator and/or Board Members.

XIII. Infraction Penalties Not following the guidelines set forth by the Market will result in either a written warning, suspension of selling rights and/or loss of seniority points, depending on the severity of the offense, which will be issued by the Market Coordinator(s) or the Board of Directors as part of their duties. Neither those making the rules nor those enforcing them have any desire to be punitive; the goal of all Market practices is to create the best Marketplace possible.

A. Levels of Discipline

1) A Written Warning will be issued, a copy will be given to the offender and a copy placed in the vendor's file. The terms of the warning and the consequences of repeated incidents of inappropriate behavior will be clearly spelled out. Any written warning(s) received by a vendor in prior Market seasons (at any of our Markets) will carry forward and used to determine the consequence of future violations. Written warnings will accumulate toward both the vendor(s) and their business.

2) Suspension will be the result of vendor activities warranting more serious action than a written warning. The Coordinator(s), at his/her discretion, may impose a

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maximum penalty of one full day suspension per incident. The Board of Directors also has the right to suspend a vendor's selling rights. The length of the suspension shall be dependent on the severity of the vendor's behavior, the vendor's record of prior infractions, and will be a minimum of a one day suspension and up to and including permanent suspension.

It is possible that both the offending vendor and the business (if partnership or corporation) will lose their selling rights. If a member has been suspended or had their selling rights terminated they may not participate in any market activities, including selling or assisting in any other vendor's business, attending vendor meetings, etc.

Conduct which is disruptive of Market operations, is abusive or threatening toward other vendors, the public or Market employees – such as, but not limited to, physical or verbal assault or intimidation, physical or verbal conduct which attracts attention that requires security or Market Coordinator intervention – shall result in immediate suspension of selling rights until the appropriate penalty is taken.

3) Loss of Seniority Points may be determined by the Board of Directors to be the appropriate action, based on the seriousness of the vendor's behavior. The Board of Directors has the authority to permanently eliminate a vendor's accumulated seniority points. This would not prevent a vendor from selling at the Market. It would, however, require the vendor to surrender their reserved space, if they have one, and sell at the Market as if a new vendor without a reserved space. Credit for years in the Market would reset to zero.

Should any infraction be deemed a health or safety risk to the public in general or to any other vendor or Market employee(s), any or all of the steps listed above may be accelerated.

XIV. Appeal Process Any infraction may be appealed to the Board of Directors, to be handled at the next regularly scheduled Board Meeting. Should no meeting be scheduled within a two week period directly following the written receipt of such an appeal, a special Board Meeting will be called to order.

The Board's actions under this Application and Guidelines are intended to be final and binding. The vendor who is the subject of disciplinary actions shall have the opportunity to request that the Board reconsider their decision and sanctions. No further opportunity to appear before the Board will be granted and the Board will only review a written appeal. The request must be in writing, stating the reasons for which the Board should

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reconsider and what proposed sanctions should be invoked. The Board shall review the appeal for consideration and respond to the vendor within two weeks of receiving the written request. During the appeal period the sanctions shall be fully implemented until written appeal for reconsideration is acted upon and the sanctions revised by the Board. The written request for appeal of the Board's decision must be received by a Coordinator within 5 days of vendor notification of the Board's decision. The decision of the Board of Directors on any appeal shall be final and binding.

XV. Wednesday Procedures for Vendors

The information booth will open at 6:00 AM, and vendors may begin checking in at that time. You must check in with the Market Coordinator and pay for your booth space prior to setting up. You must have your check written in advance or have exact change when you check in.

Even though you may have paid in advance for your reserved space, **you must check in prior to 8:45 AM, otherwise your space may be given to another vendor.**

Crafters without a reserved space may obtain a space at this market beginning at 7:30 am. Growers, prepackaged food vendors and on-site prepared food vendors have priority over crafters at this Market for open spaces prior to 7:30 am.

Non-reserved space vendors (with the exception of crafters) will be assigned open spaces beginning at 6:00 AM. At 8:45 AM all remaining spaces are open to all vendors. Non-reserved space vendors will be assigned space at the Coordinator's discretion.

If you have paid the additional \$50/\$75/\$100 to reserve a space for the season, check in at the Information Booth and pay your weekly fees no later than 8:45 AM. After 8:45 AM, your space will be made available to other vendors. If a vendor will not be attending Market they must telephone the Market at (503) 585-8264 by 7:00 PM Tuesday night and leave a voice mail stating same. Failure to advise the Market of an absence will result in a point reduction. **Failure to call in (or to call in after 7 PM on Tuesday) on three separate occasions will result in the loss of your reserved space.**

If you do not have a reserved space, on each Wednesday that you wish to sell, please check in at the Information Booth no later than 9:15 AM to pay your booth fee, and receive your booth assignment. Vendors arriving after 9:30 AM will not be given booth space that Wednesday. All vendors must pay their weekly fees and any other monies owed the Market before set up.

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By 9:30 AM, all vendor vehicles are to be removed from Chemeketa Street NE. This will be strictly enforced and all product not unloaded by 9:30 AM will have to be wheeled in.

All vendors must be set up and ready to sell by 9:50 AM.

Please be courteous of your fellow vendor. Unload your vehicle as quickly as possible and remove it to the parking area you will be using, then return to set up your booth and during breakdown, pack up as much of your product and booth as possible before moving your vehicle onto Chemeketa Street. Do not bring your vehicle into the Market before your assigned load out time.

A. Parking To avoid an expensive citation from the City of Salem, **DO NOT** park in the following areas:

1. Any on-street parking – this is provided for customers. The City of Salem requires the Market to provide them with all vendor license plate numbers and they will be patrolling all on-street parking to make sure vendors are not using any of these spaces.

2. Any city parkade, without first purchasing a permit from the City Community Enforcement Office located on Chemeketa Street, next to McGrath's and across from J.C. Penney. Discounted permits, sold at the Information Booth, are available for the North end of the ground floor of the Marion Street Parkade only.

B. Breakdown Vendors must not begin breaking down their booth(s) before 2:00 PM. No vehicles associated with a vendor are allowed onto Chemeketa Street until 2:15 PM to give the public time to clear the area. The Market Day Coordinator or their assignee are the only persons authorized to remove traffic barriers to allow vendor vehicles onto Chemeketa Street. At 2:00 PM a horn will signal the close of the Market, and the beginning of tear down. A second horn at 2:15 PM will signal that vehicles issued the appropriate Load Out Pass may enter the Market. Do not enter the Market prior to the time on your Load Out Pass. Vendors may not line up on the street at barricaded entrances waiting for the 2:15 PM signal.

Vendors breaking down early will be given a single written infraction by the Market Manager or a Board Member. Failure to stop the early breakdown, or subsequent violations of this rule, will result in suspension of the vendor's selling privileges for the remainder of the season. Breakdown is defined as packing up product and/or taking down signs and display items.

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All vendors are expected to clear the Market area no later than 4:00 PM on Market days. Each vendor is responsible for cleaning their booth area. If this is not done to the satisfaction of the Coordinator the vendor will receive a written warning. If the situation continues the vendor may be suspended from the Market.

Application Checklist

Please be sure that you have included the following:

- Completed Application Form
- \$30 membership fee (if not a 2010 Saturday Market member already)
- Reserve space request and applicable fees
- Two different photos of each of your proposed product lines, or attendance to a scheduled jury meeting (if you did not sell at one of our Markets during 2009 or are adding a new product line).
- One copy of food license(s) for all food vendors
- One copy of food handlers licenses
- Once copy of liability insurance certificate, if applicable
- One copy of any scale licenses or any other license required by state or county
- One copy of any "Organic" certification

All fees may be paid with one check payable to Salem Saturday Market.

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Please type or print neatly:

Applicant Name: _____ Date: _____

Business Name: _____ Phone: _____

Address: _____ e-mail _____

City: _____ State: _____ Zip: _____

If you would like your website linked to the Market's website, print your website address **CLEARLY**:

Vehicle Description(s) and License Number(s) _____
(List all vehicles, including utility trailers, you will be using on Market days)

Are you applying to sell: _____ pre-packaged foods, _____ meats, _____ on-site prepared foods, _____ produce,
_____ cut flowers, _____ plants, _____ crafts (Check all that apply).

Are you applying for a reserved space? _____

Are you applying for a double (10' x 20') space? _____ Or a triple (10' x 30') space? _____

If yes, space choices: 1) _____ 2) _____ 3) _____ 4) _____ 5) _____ 6) _____

Do you have any special needs related to selling at the Market?

Please describe in detail the products you wish to sell at the SSM's Farmers' Market, and how they are produced:

List all persons who are involved in creating these products:

Name	Responsibility
1.(self) _____	_____
2. _____	_____
3. _____	_____

Please list all persons who will sell your product(s) at the Market and/or are partners in your business:

Name	Relationship to vendor (Employee? Partner?)
1. _____	_____
2. _____	_____
3. _____	_____

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Food Vendors only: Please list all ingredients for each food item (attach an extra sheet if necessary). What components do you purchase? Which have you made yourself?

Produce, Flower and Plant Vendors: Please list all addresses/locations of fields where you are growing your product:

I have read and agree to abide by all SSM rules and policies as well as all federal, state and local laws, codes and regulations and to cooperate with Market management. I agree to indemnify and hold harmless SSM, the City of Salem and their officers, directors, employees, representatives and agents, from and against all liability claims, demands, losses, damages, levies and causes of action or suits of any nature whatsoever, arising out of or related to my activities at SSM's Wednesday Farmers' Market. Indemnification shall include, and the Market shall be entitled to recover, all reasonable attorneys' fees and costs at trial and on appeal.

I understand that this application relates only to the products listed herein and that any further products will require an amended application for approval by the SSM Jury Committee prior to selling said products. I certify that the products above are produced in accordance with all county, state and federal laws and grown or produced by myself and partners listed on this application, and agree to an inspection of my facilities at the request of the SSM Board of Directors. Results of inspections may be shared with other Markets. I understand that I am required to file all business entity changes, including changes in partners listed on business, with SSM immediately.

I agree to exercise the utmost care in the use of facilities and properties of SSM and the City of Salem. I understand that the premises used by the Market are owned by the City of Salem and are used with the owner's permission. Permission to use the premises can be withdrawn at any time. I agree not to hold SSM, its officers, directors, employees or agents responsible for any loss or damage claimed by the vendor should such permission be withdrawn.

Vendor(s) Signature

Date

Vendor(s) Signature

Date

Membership Fee Must Accompany Application Before Application will be processed. Vendors who are already members of the 2010 Salem Saturday Market do not need to pay an additional Membership Fee. Reserved Space Fee Must Be Received Before Space(s) Will Be Reserved For Vendor.