



CITY OF SHAWNEE POLICY STATEMENT

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Shawnee Farmers' Market Fees and Operating Procedures.	PS-63	05/10/10	NA	1 of 6

BACKGROUND

In February 1988, the City Council established a Farmers' Market on the City Hall square and in 1999 it was placed under the direction of the City of Shawnee Parks and Recreation Department. The Shawnee Farmers' Market was consistent with Shawnee's truck farming heritage and it was hoped that this market would bring people to the downtown area on Saturdays. In doing so, it would contribute to the revitalization of the downtown area.

Today it is still consistent with the heritage of Shawnee truck farming and is in close proximity to Shawnee Town. Not only is this, but the local produce that it promotes is consistent with the City of Shawnee's goal of promoting sustainability within the community as outlined in PS-57. Eating local produce is not only environmentally sustainable, but economically sustainable by supporting local growers in our community.

PURPOSE

The purpose of this policy is to establish the procedure in which the Shawnee Farmers' Market will operate. It establishes fees, hours and season of operation, produce that can be sold, those that can sell, and penalties.

POLICY

It shall be the policy of the City of Shawnee to establish regulations and operating procedures for the Shawnee Farmers' Market. All those wishing to participate will adhere to the procedures set out in this Policy Statement.

DEFINITIONS

Arts and Crafts: Arts and crafts are defined as hand-made arts and crafts.

Grower: see Producer

Household Customers: Customers that do not represent a commercial venture such as a grocery store or restaurant.

Market Master: The Director of Shawnee Town.

Market Supervisor: Designated City employee



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Non-producers: Those that do not fall under the Grower or Producer definition.

Produce: Produce is defined as fruit, vegetables, preserves, honey, bread products, baked goods, flowers, and plants.

Producer: A producer is any person offering for sale articles such as fruits, honey, vegetables, edible grains, nuts, berries, plants, flowers, arts, crafts, preserves, jellies, jams, or baked goods, such as breads, cookies, or pies (items which require refrigeration may not be sold) which have been raised, grown, or created by his/herself, members of his/her family, or by persons in his/her employ.

Sellers: see Producer

PROCEDURES

The procedures are consistent with the by-laws originally adopted by the City Council. This Policy Statement will take the place of those by-laws and will dictate the operations and intent of the Farmers' Market.

1. Objectives

- a. To provide a place where producers of fresh produce can sell directly to consumers
- b. To make available to consumers locally produced, high quality, fresh produce.
- c. To encourage greater producer participation in the direct marketing of produce.
- d. To encourage increased production of quality products for local consumption.

2. Who May Sell

- a. Only growers or producers may sell.
- b. Non-producers are not permitted to sell unless specifically approved by the Market Master on an individual, weekly basis.



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- c. Shipped-in farm products which cannot be grown or are not in season in Kansas and which are not in competition with local products, may be sold.
- d. Sellers must be 18 years of age.

3. What May Be Sold

- a. Fresh agricultural produce, arts and crafts, preserves, jams, jellies, honey, bread, and baked goods such as breads cookies, or pies may be sold. Produce should be mature, but not overripe, void of decay, have good external and internal appearance, and must be clean and free of contamination.
- b. Baked goods, which require refrigeration (i.e. cream pies) may not be sold.
- c. Homemade salsa may not be sold.
- d. Meat may not be sold.
- e. Fresh farm eggs may be sold as nest-run (i.e. Ungraded). Such eggs must be sold only to household customers. The eggs must be clean and free from checks. If containers are used for the sale of eggs, they must either be new or the old labeling must be removed or marked out completely. If you are selling fertilized eggs, you must advise the buyer of this. While farm fresh eggs do not require immediate refrigeration, you should use common sense in this situation. Be prepared to refrigerate or otherwise keep the eggs cool (not frozen) during long, hot markets. Further, you might consider taking orders from consumers. NOTE: the eggs must be from the producer's (i.e. Seller's) own flock of hens.

4. How Produce May Be Sold

- a. Produce may be sold by weight, volume or count. If selling by weight, your scales are subject to inspection by the Division of Weights and Measures. Only oil-balance and spring scales (stating "Temperature Compensated") are certified for trade. Therefore, selling by count or volume may prove to be easier. However, you may want scales to give the customer an idea of the weight of the volume being sold. Such a scale should be marked "For Estimate Only".



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- b. Each producer will have the privilege and responsibility to establish prices on his/her own products.
- c. Producer should provide containers (i.e. bags/ sacks) for the consumers.
- d. Each producer must post a sign in a conspicuous manner in his/her stall area, identifying the producer by name. Lettering must be clearly legible.
- e. All producers should prepare on poster board or cardboard in large print a list of their products and prices, or in some other way indicate the prices of various products.
- f. Just as a reminder, be prepared to make change for the customer.

5. Exchanges and Refunds

- a. Exchange of produce and/or refunds on produce will be left to the discretion of the producer

6. Sanitation and Health Requirements

- a. The Shawnee Farmer's Market will provide adequate trash containers.
- b. All produce must be stored and displayed at a "reasonable" distance above the ground (minimum of 18"). Melons must be sold whole (no halves or slices).
- c. No pets will be permitted within the Farmer's Market.
- d. Each producer is responsible for maintaining his/her sales area in a neat and clean, sanitary condition. The Market Master will inspect each stall area before the producer leaves for the day.
- e. At the end of each day, all producers must work together to police and clean the general area of the producers' market. After all, we are guests on this site, and we will want to use it again.
- f. Restroom access and hand washing facilities are required by law. Help keep them clean.



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- g. The produce should be washed and free of contamination before arriving at the Farmer's Market.
- h. Vehicles used in the transportation of produce for the Farmer's Market shall be clean with no solid waste or foreign matter on the vehicles (e.g. truck beds should be clean).
- i. No bicycles or motorized vehicles other than those of sellers and the Market Master shall be permitted in the market proper.
- j. Samples of watermelons or other produce may be given provided they are kept in covered containers. Hands should be kept clean and must be washed after smoking. No tobacco is to be used around the preparing area. Knives, cutting boards, etc. must be immediately washed and cleaned after each use. Individuals preparing samples must be clean, presentable, and free of any communicable disease.

7. Stalls

- a. Stalls may be set up only in designated stall areas. This will facilitate the flow of consumer traffic.
- b. It will be your responsibility to set up your own stall and/or tables, although vehicle tailgates or trunks will suffice. You must provide your own shade also – tarps can be rigged over the vehicles to provide shade.

8. State Taxation

- a. Each producer and seller will be responsible for their collection and payment of sales tax.

9. Stall Fees

- a. A flat rate of \$10.00 per stall will be charged for this market season.
- b. The Farmer's Market is a non-profit organization, and this generated income will be used to advertise and for other expenses.

10. Schedule

- a. The Farmer's Market will begin the first Saturday in May and will run through the last Saturday in October.



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- b. The Market is open Saturdays from 7:00 am to 4:00 pm. A Marketplace Supervisor will be present to collect stall fees each Saturday morning.
- c. Producers are asked to be at the market site at least 30 minutes before opening time. Spaces will be allotted on a first come, first serve basis.

11. Complaints and Disagreements

- a. The Market Master is charged with overseeing the operation of the Farmer's Market. Any consumer or producer with a complaint can speak with the Marketplace Supervisor on site and fill out a complaint form. All complaints will be reviewed by the Market Master on the following Monday.

12. Enforcement of the Rules

- a. The Market Master and Marketplace Supervisor have the authority to enforce all rules. Any participants failing to comply shall have their stall spaces declared vacant at the discretion of the Market Master.

IMPLEMENTATION

This policy shall remain in force until officially changed by a majority of the voting Council members in attendance at a regularly scheduled Council meeting of the Governing Body duly elected to conduct business affairs of the City.

APPROVAL AND REVISION DATES

May 10, 2010

OTHER REFERENCES

Agenda Item No. 3, Public Works and Safety, April 20, 2010
Agenda Item No.14, City Council Meeting, May 10, 2010




Jeff Meyers, Mayor


Stephen Powell, City Clerk