



# BIRMINGHAM

## Farmers Market

### 2017 RULES AND REGULATIONS

Revised December 6, 2016

#### 1. HOURS OF OPERATION/LOCATION:

- Sundays only, 9:00 a.m. to 2:00 p.m.
- Located in Municipal Parking Lot #6 on North Old Woodward Avenue.
- Open the first Sunday in May through late October.
- Vendors are allowed to set up between 7:00 a.m. and 8:45 a.m. only.
- Vendors must be set up and ready to sell by 8:45 a.m. If vendor is tardy, they will be given a courtesy reminder. If they are tardy more than 3 times they will be subject to the loss of their assigned location.
- Vendors are required to stay during the entire time the Market is open unless completely sold out, at which time the vendor may leave with the permission of the Market Manager.
- In the case of inclement weather, the Market Manager will make the determination regarding closing the entire Market early.
- All sales must be completed by 2:00 p.m. Teardown may not commence until 2:00 p.m. Vehicles will be permitted in and out of the market beginning at 2:05 p.m. with vendors using extra caution as pedestrians will be present. The Market must be vacated by 3:00 p.m.
- Portable bathrooms are available on Market premises. Bathroom facilities will be unlocked from 7:00 a.m. until 3:00 p.m.

#### 2. ITEMS TO BE SOLD:

- The Birmingham Farmers Market Committee, under authority of the Birmingham Shopping District and the City of Birmingham, shall have final approval rights over all items sold at the Birmingham Farmers Market.
- It is the intent of this market to carry Michigan grown, produced or manufactured items. The Farmers Market Committee will have sole discretion to accept or deny items sold.
- Items for sale will be defined as Michigan grown goods and produce which include the following: fruit, vegetables, edible grains, plants, trees, shrubs, cut flowers, dried flowers, herbs, apiary products, maple syrup, dried fruits and nuts, baked goods, dressings and sauces, jams and jellies, eggs, meats and cheese.
- The vendor must grow or produce a majority of the products sold.
- Farms are subject to inspection at the discretion of the Birmingham Farmers Market Committee.
- Manufactured or factory made items, craft or art items can be included if a natural extension of traditional farmers market products are approved by the Birmingham Farmers Market Committee.
- Birmingham retailers will have the first right of refusal to sell merchandise, as approved by the Birmingham Farmers Market Committee.

#### 3. VENDOR SPACES:

- Each vendor space will allow for a 10' x 10' canopy.
- Vendors are limited to their own space and may not use any portion of the walkway for display purposes, as they must be kept clear for the free passage of pedestrians and emergency vehicles.

#### 4. **VENDOR REQUIREMENTS:**

All vendors must be approved by the Birmingham Farmers Market Committee. In addition, the following items are required for inclusion in the Birmingham Farmers Market:

- A copy of the vendor's **Michigan State Retail Sales Tax License**. State law requires that we must verify the retail sales tax license number of every person selling at the Birmingham Farmers Market.
- A completed **Birmingham Farmers Market Vendor Application**.
- A copy of your **insurance liability certificate**. Insurance must be in the amount of \$1,000,000 per occurrence with the City of Birmingham AND Birmingham Principal Shopping District listed as additional insured. **A COPY OF YOUR INSURANCE IS REQUIRED BY MARCH 31, 2017.**
- A copy of the **completed checklist of products to be sold** (Production Sheet).
- All vendors are responsible for their own sales tax license and permits required by the local, state and federal governments and must abide by all Michigan laws.
- The above requirements must be met before an application for permission to sell can be approved.

Michigan Department of Agriculture: 800-292-3939 (Food & Dairy Division) or  
800-292-3939 (Pesticide Division)

Oakland County Health Department: 248-858-1280

Department of Treasury: 517-373-3200 or [www.michigan.gov/treasury](http://www.michigan.gov/treasury)

#### 5. **VENDOR PAYMENTS:**

- Vendors will be invoiced monthly, one month in advance.
- Vendors will be required to pay for their space(s) one month in advance throughout the season. Payments are to be made payable to the Birmingham Principal Shopping District via check, certified check or cash. Payments can be mailed to Birmingham Shopping District, 151 Martin Street, Birmingham, MI 48009 or made in person at the office, Monday – Friday between 9 a.m. and 4 p.m. Failure to comply with this rule may result in loss of vendor location and/or admittance to the Market.
- Vendors may choose to pay for their full season in advance in order to receive a 10% discount on fees. Advanced payment must be received by the Birmingham Shopping District by Friday, March 31, 2017, in order for the discount to apply.
- Vendors are required to pay for their committed weeks whether they attend or not. Exception made when vendor notifies the Birmingham Shopping District via phone/voicemail or email in advance of the market day they are unable to attend. BSD office phone 248/530-1254 or email – [LRondello@bhamgov.org](mailto:LRondello@bhamgov.org).
- **No** refunds will be issued at any time for any reason.
- **No** money will be collected at the market.

#### 6. **DISPLAY OF GOODS AND PRODUCE:**

- Display must be neat and orderly at all times.
- Food items shall be displayed on a table or bench. Any food item placed on the sidewalk or ground must be enclosed in a container, i.e. box, basket, etc.
- Display tables must be clean, freshly painted or covered with a clean cloth and in good repair.
- All products must meet Michigan Department of Agriculture packaging and labeling standards.
- No food and drink samples can be given away at the Market without proper permit from the Michigan Department of Agriculture through the Oakland County Health Department. A copy of the permit must be available upon request of the Market Manager and/or Birmingham Farmers Market Committee.
- Displays shall not block the view of nearby spaces or create hazardous conditions to neighboring vendors. Items shall be contained within the lines of the space rented.
- All vendors must supply their own equipment, i.e. tables, chairs, awnings, brooms.
- Stakes may not be driven into the pavement, lawn, or dirt areas of the Market premises.
- **Tents must be properly anchored with weights to avoid injury.**
- Cooking of food items on Market premises without prior approval is prohibited.
- Electrical utilities are available at the market for an additional fee.

**7. PARKING:**

- Each vendor is strongly encouraged to park off-site whenever possible. Vehicles, including those with trailers, should only be parked in the North Old Woodward Parking Deck, north of Willits. Vendor parking is prohibited at metered spaces along North Old Woodward Avenue.
- Unloading of goods and produce in the market must be completed and all vehicles removed by 8:30 a.m.
- Parking on side streets adjacent to the Market location is prohibited.
- Public parking is available nearby for customers at on-street meters and in the North Old Woodward Parking Deck.

**8. VENDOR NAME AND SIGNAGE:**

- The vendor **must provide a Farmers Market display sign**. The vendor name sign must be clean, legible and appropriately displayed.
- The vendor name sign must include business name and city location. Other information on the sign may include address, telephone, and product descriptions.
- Preferred vendor sign size is 24" x 18".
- Handwritten and day glow signs are not permitted.
- If a vendor is carrying produce or items produced by another farm, the vendor must post a table-top sign indicating from where the products came.

**9. REFUSE:**

- Upon closing of the market day, each vendor is responsible for leaving spaces cleaned and swept. Any space deemed not cleaned will be charged a \$50 fee. Each vendor must remove all waste and refuse from their Market booth space before leaving the Market. All boxes, bags, containers and other refuse shall not be left on site at the close of the day.
- Vendors are prohibited from using the trash and recycle boxes provided at the market. These are for market customers' use only.
- A dumpster is available for vendors' use at the back northeast corner of the market, marked "City of Birmingham" or "Birmingham Farmers Market."

**10. MISCELLANEOUS:**

- Birmingham merchants will be offered a free space for 2 weekends, for promotional purposes. If a Birmingham merchant wishes to sell items, all items for sale must meet the rules and regulations for the Market.
- Solicitations are not permitted on Market walkways or on city streets.
- Bicycles, skateboards and hoverboards are not permitted on Market walkways.
- Customers are **NOT** allowed to drive into the Market to pick up items.

**11. ENFORCEMENT OF RULES:**

- Market vendors must conform to the Market rules at all times.
- The Market Manager has authority to enforce all rules. Any vendor failing to comply with the rules will be denied the opportunity to sell at the Market at the discretion of the Market Manager and the Birmingham Farmers Market Committee, under authority of the Birmingham Shopping District and the City of Birmingham. The Market rules supplement the City of Birmingham code provisions.
- Vendors who have spaces will not take vacant spaces without the permission of the Market Manager. The BSD reserves the right to use any space reserved for vendors that are not being utilized.
- The Market Manager and the Birmingham Farmers Market Committee reserve the right to reject a vendor application if, in the Market Manager's and/or Committee's judgment, the goods and produce are not compatible with the overall concept of the Market.

- Vendors will be expected to act in a professional and courteous manner with customers, other vendors, the Market Manager, etc.
- All fees are non-refundable even if the vendor does not attend on a scheduled Market day. This includes any early closing of the Market due to inclement weather or any other unforeseen emergency situation.
- Failure to follow policies, regulations, rules and decisions of the Birmingham Farmers Market Committee and Market Manager will result in immediate and permanent removal from the Market with no refund.
- The Birmingham Farmers Market Committee, reserves the right to void contracts at any time for any reason. All decisions are final.
- If a problem arises with Market policies, the Market Manager and affected vendor(s) are to resolve the issue. If the issue remains unresolved, the matter will be brought to the Birmingham Farmers Market Committee, whose decisions are final.

**These rules and regulations are subject to change at the discretion of the Birmingham Farmers Market Committee.**

***For more information or clarification, contact the Birmingham Shopping District  
248-530-1200***