

# Hales Corners Village Market 2023 Rules & Regulations

## A. Terms and Conditions of Sales

1. All persons desiring to sell items at the Hales Corners Village Market (HCVM) must submit a completed application, inventory List, and appropriate permits or license forms. By signing the application, each vendor is indicating that they have read, understand, and agree to abide by the rules.
2. All persons submitting an application must provide a list of items to be sold at the HCVM. The submitted inventory List will be examined at the time of application review and must be approved by the Hales Corners Village Market Committee (HCVMC).
3. In the event that a vendor would like to modify his/her/its list, an amended inventory List must be submitted to the Hales Corners Village Market Committee for approval. New items identified on the amended inventory list may not be sold prior to approval.
4. Only locally grown or produced items that meet all applicable federal, state, and local rules and regulations and approved by the (HCVMC) may be offered for sale, as well as items by vendors who currently operate a brick and mortar business with like product(s). Selling product not locally grown and/or crafted may result in expulsion from the market. Exceptions to the locally grown rule include local businesses of coffee, bakery and those others deemed acceptable by the HCVMC. By signing the application you agree to a location inspection conducted at the committee's discretion.
5. Vendors are required to give legal description, address or other information to sufficiently identify the area or areas where their crops or products are grown or produced. Vendors sharing production areas may not rent stalls other than in the names of all partners sharing those production areas. Failure to provide this information may be cause to deny rental of stall space.
6. Farmer grown and produced shall mean all pruning, spraying, fertilizing, and harvesting is undertaken by the farmer, members of the farmer's household, or persons directly employed and paid by the farmer. This may include items grown on land under written lease or license, provided that the farmer who leased or licensed the land undertakes all of the above activities.
7. All produce and food sold at the market must be displayed and sold in a manner which prevents contamination.
8. All vendors who use a scale must have proof via a current seal or certification. All scale use must comply with regulations as determined by The Wisconsin Department of Agriculture, Trade and Consumer Protection (WDATCP) Office of Weights and Measures.
9. Processed foods produced by the contract holder and prepared under proper conditions, may be sold by producers would be subject to review of the Hales Corners Health Department.
10. Only products certified as organic may be labeled "organic." Certification must be proven and kept on file for organic vendors.
11. All labeling laws with appropriate terminology for products must be followed.
12. All processed foods must comply with the requirements set forth by federal, state, and local laws, regulations, and rules.
13. Items must be sold in compliance with WDATCP administrative code Ch 90-91.
14. The fee for the 2023 Hales Corners Village Market is based according to the following fee structure (per stall space):

A) EARLY BIRD PRICING – Application, approval and payment by March 1<sup>st</sup>, 2023  
*\$190.00 full season*  
*\$100.00 half season*

B) REGULAR PRICING-Application, approval, and payment by May 15<sup>th</sup>, 2023  
*\$250.00 full season*  
*\$160.00 half season*

16. There is no electrical access for vendors.

17. Part-time vendors will be accepted if there is space available; however, the dates that you would like to be at the market must be indicated at the time of your application. You must contact The Hales Corners Village Committee or Market Manager for more information. Part-time vendors will pay \$35 per week. Payments are due upon acceptance into the Market, and are non-refundable.

18. Vendors must carry insurance to cover the extent of their operations and liabilities and supply a certification of insurance with their application materials.

19. Vendors are required to comply with all federal, state, and/or local laws and regulations.

#### **B. Prices and Signs**

1. Prices for all items for sale shall be posted clearly on a sign. No item shall be sold unless the price of the items are clearly displayed.

2. Prices for items shall be established only by individual vendors.

3. Collusion among vendors to raise or lower prices or exert pressure or persuasion to cause any vendor to increase or decrease selling prices is prohibited.

4. Each vendor must post the farm or business name and location as well as items being sold at his/her/its assigned selling area in the market.

#### **C. Daily Operation: Rules & Enforcement**

1. Each vendor may request a maximum of two stalls, but may be limited to one depending on past use of space and stall demand. Some exceptions for more stall space may be made at the discretion of the Hales Corners Village Market Committee. Due to the nature of the market location, stalls may not be uniform but are approximately 12' wide. Each stall should accommodate a 10'x10' tent. No stakes are allowed in asphalt. Tent anchoring is extremely important; please take appropriate measures to secure your booth set.

2. The Market Manager or HCVMC must be notified in advance of any dates you know that you will be absent from the market. Unless an emergency situation occurs, notification must be received otherwise a \$50 penalty fee will be charged. This fee must be paid before or upon returning to the market. Two or more absences without notification may result in revocation of your stall and/or acceptance as a vendor in subsequent seasons.

3. Vendors shall arrive no earlier than 1:30pm to set up displays. All vendors must be set up and ready to sell by 2:45pm. Vendors not in place by this time may not have access to their regular space or may not be allowed into the market that day. Vendors who do not abide by this rule may lose their space and will receive a warning.

4. Selling at the market shall begin promptly at 3:00pm, and no selling may take place before this time.

5. Vendors must agree to sell for the entire market day and are required to stay to represent their business, even if sold out. No early pack up or departure will be tolerated. Vendors who do not abide by this rule will receive a warning.

6. Vendors must vacate the selling area after 7:00pm – no earlier - and all clean-up must be completed promptly. No vehicles will be allowed to exit the lot before 7:00pm.

7. All vendors are subject to participation in the Credit/Debit/EBT program as their business fits within the system (i.e. only approved vendors and items may accept EBT). *NOTE: Details of system operation and reimbursement processes will be provided to those who request a copy. (EBT program will not be in place for the 2023 season.)*

8. No vendor shall engage in solicitation, collection drives, political or religious activities in the market.

9. Vendors must keep the vicinity around their selling area clean at all times and remove all refuse and unsold items at the end of each market day. Unsold produce must be removed from the market site and not left in the refuse receptacles.

10. Vendors must provide an approved trash receptacle when selling ready-to-eat items and handing out samples.

11. Vendors must be courteous to other vendors and to the public at all times. Vendors and their agents, employees, and representatives must maintain a neat and clean personal appearance at all times.

12. No vendor shall smoke tobacco, drink alcohol, and/or possess or use any controlled substance while at the market.

#### **D. Grievances**

1. In the event of a dispute regarding any aspect, the Market Manager or The Hales Corners Village Market Committee will make a decision. Any failure to abide by the decision may be sufficient grounds for excluding the vendor from the market.

2. A vendor may file an appeal to the Market Manager or HCVMC decision in writing. Any appeal must be filed within ten days of a decision.

3. Upon receipt of an appeal, the matter will be reviewed.

4. The Hales Corners Village Market Committee will respond as reasonably promptly as possible from the receipt of the appeal to make its decision. During this time, the vendor must adhere to the original decision with no right to restitution for any losses.

#### **E. Vendor Licensing**

All participants are responsible for obtaining all licenses or permits required for the sale of his/her/its product to the public. Copies of such licenses/permits shall be submitted to The Hales Corners Village Market Committee upon submitting an application. Whenever necessary, the vendor shall submit copies of any applicable license/permit renewals. Food vendors must follow Hales Corners Health Department regulations. For more information, contact the Health Department at (414) 529-6155.

Vendors selling non-food items must also include a copy of their Wisconsin Seller's permit. Please call the Wisconsin Department of Revenue at (608) 266-2776 for more information on obtaining a Wisconsin Seller's permit.

## **F. Food Vendor Guidelines**

### **General Requirements & Regulations for the Farmers Market Food Selling:**

1. Ready-to-eat (prepared foods) must be protected from consumer contamination through the use of lids and covers.
2. Sampling must be done using a safe method (i.e. toothpicks, tongs, etc.). No communal handling.
3. Samples should be prepped prior to the market to keep food handling to a minimum. If they are prepped on site, this should be done in a protected manner.
4. For any food handling other than strictly pre-packaged items, hand washing needs to be provided by each vendor.
5. Ready-to-eat (prepared food) items may not be handled with bare hands.
6. Food items must be stored a minimum of 6 inches off the ground.
7. Display items (not for sale) must have a sign stating "Display only."

## **G. Enforcement of Rules & Regulations**

Participants must abide by market rules at all times. The Market Manager and The Hales Corners Village Market Committee have full authority to enforce all rules. All participants failing to comply are subject to disciplinary action.

A vendor, market consumer, or market representative may submit a signed written complaint where there is cause to believe a violation of market rules exists.

These rules do not create third party rights and are only enforceable by the HCVM at its discretion.

These rules have been put in place to help ensure that the market operates in a successful and safe manner that is fair for all. The HCVMC reserves the right to amend or change these rules as needed and again, we hope that we will all operate in the spirit of cooperation.

Any violation of market rules and regulations may be grounds for termination of lease agreements. The Market Manager and Committee shall be responsible for the on-site administration of these rules and regulations. Disputes arising from the use of market space, including stalls and aisles, parking and similar matters, will be handled by the Market Manager and the Hales Corners Village Market Committee.

## **Hold Harmless Agreement**

By signing the application form, the vendor shall waive and relinquish any and all claims of the vendor that might result in any manner against The Hales Corners Village Market Committee its agents, officers, directors, employees, and authorized volunteers ("released parties"); Exceptions include claims arising from acts caused by the willful and wanton misconduct of a released party acting within the scope of that released party's employment or authority. Further, the vendor agrees to indemnify and hold the released parties harmless from and against any and all legal actions, claims, damages, losses or expenses, including but not limited to claims for personal injury, disease or death, injury to or destruction of property and attorney fees and court costs incurred or to be incurred in defending actions brought against the released parties, associated with the acts or omissions of the vendor and any of its employees, agents, or volunteers occurring in connection with The Hales Corners Village Market Committee or for claims brought by any of the vendor's employees, agents, or volunteers against the released parties, except with respect to claims for acts caused by the willful and wanton misconduct of a released party acting within the scope of that released party's employment or authority.

## **Market Governance**

The Hales Corners Village Market is coordinated between the Village of Hales Corners and Hales Corners Health Department. The Hales Corners Village Market Committee is governed by the Hales Corners Health Department. The Market Manager is an additional member to the team; the manager assists in market oversight, development, operations and promotions. The Health Department is located at 5885 S. 116<sup>th</sup> street, Hales Corners Wisconsin 53130. They can be reached at 414-529-6155 or [HCHHealth@halescornerswi.org](mailto:HCHHealth@halescornerswi.org).