



## **LCFM Winter Market**

### **2021 Rules and Regulations**

The Leavenworth Community Farmers Market (LCFM) is a state non-profit organization developed in response to community demand for growing popularity and support for local produce and goods. The Market's primary benefactors are farmers, producers, and the greater Leavenworth Community. It provides local farmers and producers with a direct outlet to sell their food and handcrafted products; people with an opportunity to buy directly from producers; the Leavenworth downtown with a focal point for pedestrian activity, entertainers and live music; the community with a festive gathering place for improved access to local agricultural products, environmental education and a heightened cultural awareness of community resources.

The LCFM operates as a volunteer organization in accordance with all applicable rules, regulations and laws established by the Washington State Farmers Market Association (WSFMA), municipal, county and state governments. There will be no discrimination according to race, color, creed, religion, sexual orientation, age or nationality.

Mission:

*"The Leavenworth Community Farmers Market is designed to increase access to fresh, locally produced foods and other products of local labor for all people. We strive to serve culturally and economically diverse populations, and bring together families, neighbors, visitors and local food producers to create community and social gathering; to enhance our quality of life and foster a sustainable local economy."*

Our Vision for the 2021 year is to stabilize and strengthen the market with reliable, consistent farmers, prepared food vendors and high quality artisan crafts and to cultivate an engaged, sustainability-educated community.

## **Article 1: General Information**

### **Section 1. Market Season, Location, and Operating Times**

Season: Fridays and Saturdays, 10am-3pm (closing earlier only if vendors all approve),  
November 27th - January 1st (excluding December 25th)

Location: Front Street (West End from Eagle Creek to end of Parallel Parking)

### **Section 2: Contact Information**

Leavenworth Community Farmers Market  
PO Box 2184  
Leavenworth, WA 98826

[leavenworthmarket@gmail.com](mailto:leavenworthmarket@gmail.com)

Office Phone: 509-885-3474

Winter Market Manager: Brittanie Butler

## **Article 2: Who Sells at the Winter Market?**

### **Section 1. Farmers**

One who raises the produce, plants or animals on land they own or lease/rent in the State of Washington, or counties that border Washington State (refer to WSFMA Roots Guidelines for a list of said counties). It may include someone who processes produce grown on their own property into a value added product such as jams, cider, salsa, or alcoholic beverages. It may also include farmers who raise the basic ingredient(s) of a product, but who must send it out for fundamental processing before creating the value added product. Such Vendors might include those farmers selling mint oils, emu oils, smoked meat or fish, etc.

### **Section 2. Processors**

One who sells processed foods that they have personally prepared on their own or on leased/rented property. **Processors** are persons or entities offering fresh food products (such as meats, seafood, ciders, baked goods, jams, etc.) that have added value to their product through some sort of “hands- on” processing (e.g., hand-filleted fish, smoked or butchered meats, handmade candies, etc.).

All **processors** must meet all Federal, State, County and local Health Department requirements. All appropriate permits and licenses shall be provided to the Market

Manager and displayed whenever a processor is selling at the LCFM. **Processors** must produce their products in the general region of the Wenatchee Valley or any of its tributaries (roughly from Plain-Wenatchee). This location-based requirement is enforced at the discretion of the LCFM Executive Director and Board of Directors. Processed food products should use ingredients from Washington State farms or waters as much as possible, and stall preference will be given to processors using ingredients from Washington State farms or waters. In the case of **Seafood** vendors, product must originate from the greater Pacific Northwest, which includes Washington, Oregon, Alaska and British Columbia.

### **Section 3. Crafters/Artists**

**Crafters** are persons or entities who craft with their own hands the products they offer for sale at the LCFM. To qualify as a crafter, a majority of the tools and equipment used by the crafter to produce their products must require skills, personal handling and/or guidance by the crafter. **Crafters** should incorporate materials produced in Washington State as much as possible and they must create their craft products in the general region of the Wenatchee Valley or any of its tributaries (roughly from Plain-Wenatchee). This location-based requirement is enforced at the discretion of the LCFM Executive Director and Board of Directors.

### **Section 4. Prepared Food Vendors (Concessionaires)**

**Prepared Food Vendors** offer freshly made foods, available for sale and immediate consumption on-site at the market. **Prepared Food Vendors** shall possess and maintain all required State, County and local Health Department permits. Prepared Food Vendors should use ingredients produced in Washington State as much as possible. When selecting Prepared Food Vendors, the LCFM strives to provide a good variety of healthy foods, and to give preference to vendors using ingredients produced in Washington, particularly those locally sourced. No commercial items allowed, which includes but is not limited to: bottled water, soda, candy, etc. Food vendors are encouraged to use earth friendly or biodegradable food packaging. The LCFM can assist in locating these products.

### **Section 5. Miscellaneous**

Vendors who do not fit in the above categories but who have items or services for sale that are not contrary to the mission of the LCFM will be admitted for vending at the discretion of the LCFM Board.

### **Section 6. What is NOT allowed to be sold at the LCFM Winter Market**

No commercial or imported items

No Second Hand Items (Exception: Those vendors who take a second hand item and recycle that item into a new use)

No Franchise: Those who have entered into an agreement or received a license to sell a company's products and/or use a company's packaging, logo, ingredients and/or marketing tools under that license or any franchise agreement

No Non-Owner Operated Businesses: Only those businesses that are operated and controlled by their Washington State-based or border county-based

No Out of region Processing: All processed products must be processed within the Wenatchee Valley

No Brokers/Resellers are allowed to sell at the LCFM.

### **Article 3: Fees**

**Daily Stall Fees** (per 10'x10' stall space) are as follows:

**Farmer Vendors:** Vendors will be charged a percent of income with no minimum or flat fees. This percentage is set at 7% for one or two 10' x10' booths.

**Non-Produce Vendors:** Vendors will be charged a percent of income with no minimum or flat fees. For 2021, this percentage is set at 12% for one 10' x10' booth and 17% for two booths.

**Information booths:** (Anyone not selling product) Will be charged \$15/day.

Sales reports and stall fees are due via Google Form at the end of each market and are collected by the Market Manager via cash or Paypal (Paypal preferred).

### **Article 4: Cancellation Policy**

The LCFM will be holding vendors accountable for not attending the days committed to previously in their application by charging a \$25 no-show fee.

The LCFM understands that vacations, medical and/or possible emergencies may/ could transpire throughout the market season. We ask that you contact the Market Manger, or [leavenworthmarket@gmail.com](mailto:leavenworthmarket@gmail.com) 24 hours before the market for these emergencies.

Otherwise you will be considered a no-show and charged the daily stall fee. This fee must be paid prior to setting up at following markets. If an emergency should occur and you

are not able to make the market for that day, please contact the Market Manager by 12pm the following day. If the Manager is not notified that an emergency occurred, it will be assumed that you are a no-show.

### **Article 5: Executive Director and Market Manager**

The Executive Director (ED) and Market Manager (MM) are employees of the LCFM and represent and uphold its mission, values, rules and regulations while being present and open to assisting to the needs, concerns and well-being of the vendors and customers of the market. The ED & MM will enforce and implement LCFM policies at all times. This includes overseeing Market set-up, booth assignments, and collection of fees, providing information on Market policies, and ensuring vendor compliance with all Market policies. The ED & MM will make booth assignment decisions based on available space in the Market and the need for specific products. The ED will be responsible for public concerns and vendor complaints. The MM is a conduit between vendors/customers and the ED and LCFM Board of Directors. The Executive Director has complete authority to interpret and implement policy on the Market site; including the authority to rescind stall space for just cause. Vendor grievances should be directed to the Market Manager, and not your Vendor neighbors. However, if your grievance is about the Manager, please direct your comments/ questions to the Executive Director either via mail at LCFM, PO Box 2184, Leavenworth, WA 98826 or via email at [leavenworthmarket@gmail.com](mailto:leavenworthmarket@gmail.com).

- LCFM reserves the right to prohibit anyone from selling or any product from being sold.
- LCFM is not responsible for loss of property or damage.

### **Article 6: Vendor Rules**

**Section 1. Hours of Operation:** Fridays and Saturdays from 10am-3pm (subject to change due to weather or available sunlight). Vendors must arrive for set up no later than 45 minutes prior to the opening of market. If a vendor arrives after the 45 minute window they will have to unload and carry their wares in from wherever they find parking. No vendor may begin selling or exchange money before the market opening. The Market Manager will signal the opening of the market. If this Policy is violated it could result in the termination of vendor's permit to sell. Vendors are required to stay until closing. Vendors who sell-out early should post a sign letting customers know they have sold-out and should not leave their booth unattended. No Vendor is allowed to pack up or tear down their booth space early. Vendors who leave before the market is officially closed will not be allowed to return for the remainder of the season. If having to leave due to an emergency, then the Vendor shall notify the Executive Director immediately so that Volunteers may assist in your loading and departure to ensure safety for our customers

and other vendors.

## **Section 2. Stall/Booth Rules:**

**A. Selling Space:** The allowed selling space is 10' x 10' for a single booth or 10'x20' for a double booth. The vendor's sales area and signage must not extend beyond the allotted boundaries of the booth space. Displays and signs must allow clear visibility to adjoining booths. Display and selling technique must not impair other vendors' ability to sell, nor create a hazardous situation for customers.

**B. Canopies, Umbrellas, Equipment:** All vendors who wish to erect canopies (including umbrellas) on the farmers market site during a normal period of market operations, including the setup and break down period, are required to have their canopies sufficiently and safely anchored to the ground from the time their canopy is put up to the time it is taken down. Any vendor who fails to properly anchor his or her canopy will not be allowed to sell at the farmers market on that market day, unless that vendor chooses to take down and stow their canopy and sell without it. Each canopy leg must have no less than 25 lbs (pounds) anchoring per leg and each umbrella must have no less than 50 lbs (pounds) anchoring. The market does not provide canopies, umbrellas, or tables. Tables, and overhead shades (canopies), and required weights must be maintained and used in a safe manner. Legs must be firmly locked into place on the shades. Tables must have smooth edges. If using plywood for table tops, please place a vinyl cloth over table to protect edges. Table must be stable when loaded with produce or heavy items.

**C. Cleanliness:** Vendors are responsible for keeping their space attractive during market hours and for cleaning up their space after the market closes. Produce should be washed and prepped for sale at home or on the vendor's farm. Vendors should not wash produce at the market. All vendors must pack out their own trash. Use of municipal dumpsters is not allowed. Vendors are encouraged to use earth friendly or biodegradable food packaging. The LCFM can assist in locating these products.

**D. Vendor Conduct:** Vendors are requested to dress appropriately and conduct themselves courteously. It is the market's intent to maintain an open and supportive relationship with friends and patrons of the market that benefit the vendors, consumers and the community.

Vendors may not:

- Play pre-recorded music
- Hawk (calling attention to your products in a loud, repetitive, public manner) during the market
- Smoke in the vendor sales area

- Bring their pets to the market
- Leave children unattended during the market. The LCFM will take no responsibility for their safety or whereabouts

Vendor eligibility may be revoked by a vote of the LCFM Board at any time.

**E. No Dumping Allowed:** Pricing of goods sold at the Market is solely the responsibility of the individual vendor. Market Employees do not have the authority to fix prices. However, Market Employees do reserve the right to conduct market research and set a minimum price, and vendors will not be allowed to sell below this price. Thus, vendors are prohibited from giving produce or items away for free or below market value, as this unfairly undercuts potential sales of other vendors. However, sampling is permitted in accordance with Article 7, Section 7 of LCFM rules. Bargain boxes (i.e. #2's, etc.) need to be clearly labeled as such. Please consider that local food banks and shelters are the best resources for distributing your unsold product to the local community in need. Please contact Market staff if you are wishing to donate.

**Section 3. Who Can Sell:** Only Washington State farmers and other producers as listed may sell at the market. A principal farmer/producer may send family members, partners or employees to the market in their stead, but are responsible for having their on-site representatives aware of all LCFM rules and policies. Vendors residing in Oregon or Idaho counties bordering Washington may be admitted to the LCFM at the discretion of the Executive Director.

**Section 4. Jurying:** All artist/craft vendors shall have their work juried prior to being allowed to sell at the market. All products sold must be completed by a single artist/craft person in the state of Washington. Products must be of the highest quality, handcrafted and not imported. Artisans must submit pieces to be juried that are representative of the work they plan to sell at the market. An artisan may not sell anything that has not been juried prior to the day of the market. The jury criteria are: craftsmanship, quality, percentage of raw material used, percentage of product that is handcrafted vs. non-handcrafted and originality. The decisions of the jury are confidential and final. Once a product has been accepted, selling space at the market will be granted based on space availability and compatibility with current product mix.

**Section 5. Setup and Breakdown:** No vendor will be allowed on the site more than 2 hours prior to market opening. All vendors must leave the site by two hours after closing. Vendors may only drop off materials to set up and then must park their vehicle elsewhere in town and return by the time the Market opens.

**Section 6. Signage and Labeling:**

**A.** Vendors must post a sign identifying him/her or the name of the business/organization represented.

**B.** All vendors are required to clearly mark the prices of their items. This can be done by individually tagging each item or by listing all of your items and prices on a larger sign or blackboard.

**C.** Labeling must follow the regulations of the WSDA. All processed and baked foods must have a label that states the name or business name and phone number of the processor. The labels must be on each individually packaged item. Each individual item that contains nuts must have a label attached stating: “Contains nuts.” A list of all ingredients in each food item must be placed on the label or next to those items for sale. Items that do not follow this rule may not be sold.

**Section 7. Scales:** All scales are subject to inspection by the USDA Weights and Measures program. All vendors must supply their own scales if selling a product by weight. All scales must be “Legal for Trade” licensed, registered, and certified by the USDA and have a current sticker. Vendors using scales must also have a valid Scale License for the State of Washington Business Licensing Service.

## **Section 8. COVID-19 Precautions**

As a result of the COVID-19 pandemic all vendors must follow the COVID-19 Health and Safety Plan. LCFM established this plan, applicable to both Leavenworth and Cashmere markets, to assure that markets are safe for vendors, volunteers, visitors, and staff. Failure to comply will result in expulsion from the market(s). Please note that this plan is based on guidance and required by law, per Chelan County Health District and WA Labor and Industries, applicable as of the date above. If recommendations from relevant authorities change, we will communicate this to vendors, staff, and volunteers and update and enforce our COVID-19 Health and Safety Plan accordingly.

**HEALTH SCREENING:** If you or any of your staff are exhibiting symptoms of COVID-19 or have been exposed to COVID-19, stay home, isolate and do not return for 14 days. Staff suspected of illness will be asked to leave the market immediately. If you or any of your staff/volunteers are 60 years or older and/or immunocompromised, please consider sending another staff member.

**MASK WEARING.** Unless **fully vaccinated for more than 14 days prior to the market** event in question, masks must be worn at all times by you or any of your staff who are unvaccinated. You are responsible for reasonably verifying and keeping records of your own and your staff’s respective vaccination status. You are also responsible for enforcing mask wearing for all of your staff who are not fully vaccinated, consistent with this policy.

## **Article 7: Licenses, Permits, and Special Requirements**

### **Section 1. Onsite Food Storage Requirements**

All prepared food must be kept at least 18 inches above the ground and must also comply with Chelan County Health Department requirements.

### **Section 2. Taxes**

Retail sales taxes and Business and Occupation taxes are the responsibility of the individual vendor. Unless exempt by law, vendors are required to have a Washington State Master Business License Number and must supply this tax number when applying to sell at the Market. (Note: Vendor's application will not be processed without this number.)

### **Section 3. Insurance**

Vendors selling bath/beauty/essential oil products and food handlers are required to have Liability Insurance.

### **Section 4. Permits and Licenses**

All vendors shall provide, at the time of application, copies of any permits and licenses applicable to the sale of their products. These will include the vendor's Washington State tax number, and where applicable, the Washington State Nursery License, Washington State Dept. of Agriculture Food Processors License, Certification for Organically Grown Produce, Grade A Dairy Permits, Pesticide Applicator's License, or Department of Fisheries Wholesale License. Hand/Body Lotions, Creams or Home/Farm Essential Oil Distillation are required to submit proof of testing.

### **Section 5. Organic Products**

If a product is labeled "certified organic," it must be certified in accordance with Washington State law (WSDA) or other recognized certifying agency. Verbal or written declarations of certified organic status not verifiable as such will result in suspension and review of vendor's permit to sell. When an organic producer is also selling non-organic produce at the same stand, the non-organic produce must be clearly separated from the organic produce and clearly labeled as non-organic or conventionally grown. Consumer queries regarding farming practices must be answered factually.

### **Section 6. Labeling**

Processed foods, including honey, shall comply with Washington State labeling requirements. Labels on processed foods and any and all bath, beauty and health products

must meet State requirements and include:

1. The name of the product 2. Company name 3. Address (if not found in the phonebook) 4. Net weight on bottom 1/3 of label 5. Ingredients listed in decreasing order of predominance

### **Section 7. Sampling**

Vendors offering samples must follow all Health Department regulations regarding sampling. Any vendor displaying samples must follow all appropriate food handling requirements and have a hand washing station in place. No exceptions. Farmers sampling fruits and vegetables must also comply with Chelan County Health Department requirements.

### **Section 8. Food Handlers Permits**

All prepared foods and baked goods vendors must have a current Chelan County Health Department Food Handlers Permit and disclose the Commercial Kitchen where food has been prepared if prepared by their own hands.

### **Section 9. Vendor Contributions**

Vendors may be asked to contribute product to the Market's promotional and educational events such as chef's demos, produce tasting, musicians, and special events. Contributions from the vendor for these events are greatly appreciated. Please also consider that the local Food Bank or Shelters are the best resource for distributing your unsold product to the local community in need. Please see the Executive Director if you are wishing to donate.

*Note to vendors: rules are subject to change. Vendors are expected to follow all federal, state, local and city regulations related to their operation.*

*We are open to your suggestions on improvement of our rules and market operations.*