



2022 Downtown West Bend Farmers' Market

Vendor Rules & Regulations

(Please keep for your records)

Welcome

The Downtown West Bend Farmers' Market has been operating downtown since 1990. It has grown into one of the finest farmers' market in Wisconsin with a wide variety of locally grown and produced products. We'd like to thank you for helping make the market such a success and we look forward to another great season.

Please review the Rules and Regulations in full, especially those concerning "Market Stall Usage" and "Parking Your Vehicles". If you have any questions or concerns regarding any of the policies, please contact our office and we'd be happy to assist you.

General Market Information

- **Season**
 - For 2022, we are again offering an early market start. For this to happen we will need at least 50% of the vendors to sign-up. The early dates are 5/21 and 5/28.
 - The regular market begins June 4, 2022 and is every Saturday through October 29, 2022.
 - The market hours are from 7:30 am to 11:00 am
 - The market proceeds rain or shine and there will be no extended or special hours
- **Vehicles in the Market**
 - Vehicles parked over night that have received a ticket from the police department can be towed by calling the Non-Emergency Police number at 262-335-5000. Contact them as soon as possible as it will take time to tow the vehicle. You can contact them directly or ask a market manager on duty.
- **Host Club -market managers**
 - The Host Club (located at the corner of 6th & Main) shall be responsible for the on-site administration of these rules and regulations in the absence of the Downtown West Bend Association representative. The Host Club will, at their discretion, handle all issues arising from the use of the market space, including stall parking and similar matters. The Host Club will have first aid, metro supplies and copies of the market map.
- **Animals**
 - For the safety of all, no animals are allowed in the market. Service dogs are the only exception.
- **Rest Room Facilities**
 - Provision of Restroom facilities is included for the market season. One is located on the north end of Main in the round-a-bout and two on the south end of Main near Sal's Pizza – one with ADA accessibility.

Stall Rental Information

- **Stall Rental Requirements**
 - No grower or producer may rent more than 3 single stalls.
 - The number of tents needs to match the number of stalls. Vendors with 3 stalls can only have 3 tents.
 - Farmer vendor stalls will be rented only to Bonafede growers or producers of the product(s). No product may be sold that is grown or produced by anyone other than the individual(s) contracting for the stall. (Fruit



2022 Downtown West Bend Farmers' Market

Vendor Rules & Regulations

(Please keep for your records)

unable to be grown in Wisconsin will be the only exception to this rule. Written permission will be granted to those vendors who have carried these items as a regular item in past seasons.)

- No other vendor or merchant may allow someone else to use their stall for sale of any type of product other than that which they themselves are involved in producing or legally contracted to sell over the course of the past year.

Market Stall Rental/Deposit

- Stalls for the 2022 regular season are \$300 each. A deposit of 50% (\$150.00 per stall) is due by **March 1, 2022**.
- If you opt in for the early market session, the cost is a flat fee of \$25.00 for the dates in May (regardless of # of stalls).
- A current/valid copy of your state license/permit must also be sent now. (Expired copies will NOT be accepted as valid. If your license expires after this time but before the season begins, you will need to send in another new/valid license BEFORE the first day of market.)
- Total stall rental fees are due in full by **April 1, 2022**. No exceptions. If not paid in full by this due date, the DWBA reserves the right to rent stall(s) to another vendor.
- The Downtown West Bend Association will only offer a refund if we must cancel your dates at the market. If you cancel your appearances at the market, your stall fee will be forfeited.

Market Stall Assignments

- Market stalls are assigned by the DWBA and vendors are not guaranteed the same location as used in prior years. Location of assigned stalls will normally not be changed during the market season. However, the DWBA reserves the right to make changes if necessary.
- Each vertical stall will be one parking spot as designated by the white lines. Horizontal stalls will be as similar in size as possible to vertical stalls.
- Stalls are not transferrable. Unoccupied stalls may be rented out on a daily basis to daily vendors by the DWBA.

Licenses/Permits/Insurance

- The vendor is responsible for obtaining all licenses and permits required for the sale of his/her product to the public.
 - Vendors are responsible for their own insurance.
 - Vendors selling baked or canned goods must have a valid Wisconsin Food Processing License. We will not be accepting Pickle Bill processing. You must have a valid state license to sell canned or baked goods.
 - Vendors selling eggs must have a valid Wisconsin Department of Agriculture Retail License. (Egg Endorsement Form)



2022 Downtown West Bend Farmers' Market

Vendor Rules & Regulations

(Please keep for your records)

- Vendors selling meats must have a valid Wisconsin Department of Agriculture Official Meat Establishment License.
- Vendors selling dairy must have a valid Wisconsin Department of Agriculture Dairy License.
- Vendors selling food items processed on site such as egg rolls and/or cutting samples such as cheese, fruits and vegetables on site must have Wisconsin Temporary Restaurant license for on-site processing.
- Vendors selling pet food/treats must obtain a Wisconsin license.
- Vendors using the word organic must be certificate organic vendors by the USDA
- Questions regarding state permits can be directed to Raymond Stigler, State Food and Safety Inspector, 262-939-2861.
- Questions regarding local state/county licenses can be directed to Margaret Anderson, Washington County Health Department 262-335-4462, then press 0 for the switchboard.
- A current valid copy of any/all required licenses must be on file in the DWBA office prior to selling at the market. NO EXCEPTIONS- this is a state requirement.

Acceptable & Prohibited Items for Sale

Items that can be sold include:

- Home grown produce, edible grains, fruits, maple sugar, honey, eggs, dairy, cut or dried flowers, indoor-outdoor plants, vinegars, jam, jelly, sauces, bakery and home canned goods that are labeled and processed in accordance with the State of Wisconsin Food Processing Standards.
- Soaps and/or personal care products that are made locally by the individual selling them.
- Certain handcrafted items that are related to the vendors main business or may be allowed on approval of the DWBA Board of Directors.

Items that cannot be sold include:

- Art works, flowerpots, baskets, rummage articles, homemade crafts, live animals, pets, or other articles not home grown, unless otherwise approved by the DWBA.
- There will be NO reselling of wholesale purchased items allowed.
- The DWBA reserves the right to deny items on a vendors requested products list to maintain the integrity of items found at the market and to avoid saturation of products into the market.

Market Rules & Penalties

Each Vendor will begin the season with 8 points.

On the first occurrence of a violation, an oral or written warning will be given. (Except in the case of selling Wholesale Product which is an 8-point violation resulting in termination of your vendor contract). If the warning is oral, you will be notified that it is an oral warning and it will be recorded in the DWBA office. If there is a second violation you will be assessed a penalty of points dependent on the violation as outlined in the rules below.



2022 Downtown West Bend Farmers' Market

Vendor Rules & Regulations

(Please keep for your records)

If you are assessed 8 points in violation penalties, you will be terminated as a vendor from the Downtown West Bend Farmers' Market. There is no refund of seasonal fees if you are terminated from the market.

If you have not been assessed additional points for the same violation during the current season, you will receive those points back for the next market season.

Any terminated vendors will be reviewed by the Market Manager and /or the DWBA Board of Directors. All decisions are final.

If you are terminated from the market you may reapply after one year from the date of termination. Reinstatement to the market will be the final and binding decision of the Market Manager and the DWBA Board of Directors.

- **Vendor Conduct**

- Vendors shall conduct themselves in a courteous manner to other vendors, market personnel and the public.
- Concerns about vendor conduct can be addressed to the DWBA and will be kept confidential.
- A two (2) point penalty can be assessed for behavior that is reported or seen to be abusive, threatening or harassing.

- **Market Set-up Procedures**

- Trucks and vehicles may enter and start to unload at 6:30 am. **You must be in your stall(s) by 7:00 am.** The DWBA reserves the right to rent unoccupied stalls on a daily basis at 7:00 am. (*Trucks and vehicles entering before 6:00 am will be subject to the City of West Bend parking restrictions. To avoid parking tickets, display your Farmers' Market vendor sign in the driver's side front window. Vendor vehicles not displaying their market vendor sign may receive a parking ticket*)
- **No late arrivals (after 7:00 am) will be accepted.** This is a safety issue. If you arrive late, you will not be allowed into the market and will be marked as an unexcused absence. (In cases of emergencies please call or email the market manager to discuss to avoid a penalty violation)
- Vendor signs must be displayed for all consumers and Market Hosts to read. Stall numbers will be printed on the signs. This will aide the Market Hosts with attendance sheets as well as letting your customers know who you are.
- No selling to the public may take place before 7:30 am when the Host Club opens the market.
- Selling may take place between market vendors from 7:00 am to 7:30 am. This is for your personal use only and must be put away in your vehicle separate from the product you are selling.
- One (1) point penalty may be assessed for selling to consumers prior to the start of the market and/or for not having your vendor sign displayed.

- **Market Closing Procedures**

- The market will close at 11:00 am and all selling must cease.
- Vendors must be packed and cleaned up by 11:15 am at which time the roads will be opened to local traffic.
- Waste, garbage and unsold produce must be removed from the area and taken away with you. **The Downtown garbage cans may not be used for disposal.** The stall must be entirely cleaned up or penalty



2022 Downtown West Bend Farmers' Market

Vendor Rules & Regulations

(Please keep for your records)

points and cleaning fees may be assessed. There is a one (1) point penalty may be assessed for not cleaning your stall(s) and taking you waste/garbage with you.

- No vendor may leave early and disrupt the market or endanger the safety of pedestrians. A two (2) point penalty may be assessed for leaving the market early.

• **Market Stall Usage**

- Vendors must furnish their own table and chairs or use the back of their vehicles. THERE IS NO ELECTRICITY AVAILABLE AT THE MARKET WITHOUT PRIOR APPROVAL. When setting up, do not extend into adjoining spaces.
- If using a vertical parking stall, vendors can be a maximum of 17 feet from the edge of the curb (17 feet deep by 9.5 feet wide); as designated by the white parking lines, unless you are located in front of the former Grasshopper Restaurant. Vendors there are only allowed 14 feet (this is to the very end of the white line) per the West Bend Fire Inspector.
- The remainder of the roadway space must be kept clear for pedestrians and for emergency vehicles.
- Tents must not extend out beyond the stall areas.
- A one (1) point penalty may be assessed for violating the stall space regulations.

• **Parking Your Vehicle(s)**

- Box trucks and vehicles may not be parked within the market area unless your rented stall(s) fits both your vehicle and your products.
- No space may be rented in the market area for the sole purpose of vehicle parking. All stalls must contain products for sale. If your vehicle and product do not both fit in your rented stall(s), you must park it outside of the market area in an approved parking area. (Suggested area is behind the Ziegler Building located off 33 behind BMO Harris Bank. It can be also be accessed down Mill St.)
- You may not park in any area directly adjacent to the market area or you will need to move your vehicle. We appreciate your cooperation by keeping parking areas open for customers and shoppers visiting our downtown merchants.
- A one (1) point penalty may be assessed for violation of the parking regulations.

• **Food Safety**

- All vendors processing food on site such as egg roll makers and those providing food samples must display food in a way that prevents contamination by dust, dirt, flies, wasps, and any other insects.
- Items must also be kept safe from spoilage which would include putting perishable samples on ice.
- There must also be a hand washing station available with warm water, soap and clean paper toweling for drying present on site. (This rule does not apply to samples if all the cutting and processing takes place in a location away from the market area).
- Hand sanitizer does not count as a hand washing station per the state.
- Gloves must be worn by anyone handling food being processed on site for consumption by customers. Hands must be washed prior to putting them in to the gloves.



2022 Downtown West Bend Farmers' Market

Vendor Rules & Regulations

(Please keep for your records)

- All produce; dairy, meats, bakery and poultry sold at the market must be displayed and sold in a manner which prevents contamination by dust, dirt, flies or other insects. These items are not to be exposed to the open air without proper protection.
- Questions regarding food safety can be directed to the Washington County Health Department at 262-335-4462 or the state at 262-939-2861.
- A two (2) point penalty may be assessed for food safety violations.

- **Attendance**
 - Any unplanned absences should be given to the DWBA Market Manager in writing at the beginning of the season with the return of your agreement.
 - For other absences, Vendors are required to notify the DWBA Market Manager via phone at 262-338-3909 or email at Gena@downtownwestbend.com no later than Noon on the Tuesday prior to the absence. (Emergencies will be handled on a case-by-case basis).
 - A one (1) point penalty may be assessed per unexcused absence. Unexcused absences also include late arrival to the market as you will not be allowed in after 7:00 am due to safety concerns.

- **Wholesale Produce/Products**
 - No wholesale produce/products may be sold at the market.
 - If a complaint is received in the office, the DWBA will investigate at the market and/or with an unannounced farm/land visit. Vendors shall make available the lands or areas where their crops or products are grown or produced for on the spot inspections to members of the DWBA staff/board at the unannounced visit.
 - If a vendor is found to be selling wholesale produce/products it will be an immediate eight (8) point penalty assessment resulting in immediate termination of your market contract. There are no refunds of fees given if your contract is terminated.

- **Produce/Products for Sale**
 - Vendors may only sell items listed on their approved contract. If a vendor has a new product to bring to market, written approval must be received from the Market Manager prior to bringing the item(s) to market.
 - A two (2) point penalty may be assessed for selling unapproved items.

The Downtown West Bend Association will address any problems related to the administration of these rules. The Host Club will forward information to the Downtown West Bend Association weekly. The Board of Directors of the Downtown West Bend Association, whose decision shall be binding on all parties, will make final decisions.

The Downtown West Bend Association has established these Rules and Regulations. Any complaints or concerns regarding the Farmers' Market should be in writing and addressed to the Downtown West Bend Association Farmers' Market. All complaints are kept confidential and are reviewed and addressed as necessary.



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I have read and agree to the terms of the enclosed Downtown West Bend Association 2022 Farmers' Market Rules and Regulations.

Signature of Vendor

Date

Return this signed agreement with a copy of licenses (as required), signed contract and a check payable to:

Downtown West Bend Association
120 N. Main St. Suite, 170
West Bend, WI 53095

Dates to Remember:

50% Stall Deposit due March 1, 2022

Deposits are non-refundable.

Remaining Balance due April 1, 2022

Stalls with unpaid balances may be assigned to another vendor.

Contact Information for the DWBA:

Downtown West Bend Association
Attn: Gena Biertzer
120 N Main Street Suite 170
West Bend, WI 53095
Phone: 262-338-3909
Email: gena@downtownwestbend.com