

Pendleton County Farmers' Market

Organization By-Laws & Regulations

Section I. Purpose

1. To provide consumers with locally-grown, farm-fresh products at a convenient location.
2. To provide area farmers with improved marketing opportunities.

Section II. Participation, Organization

1. This market is part of an Educational Program sponsored by the Pendleton County Extension Service.
2. The market will open for the season in May and close in October-November as the season dictates.
3. The hours of operation will be Saturday 8 am to 2 pm, or before, if sold out.
4. Vendors must be residents of Pendleton County or the following counties:

- Bracken
- Boone
- Campbell
- Grant
- Harrison
- Kenton

Vendors from outside areas may join through the application process and approval by existing membership.

5. Each vendor family shall have one vote per family on group decisions.

6. Issues shall be decided on the basis of over one-half of votes cast. All vendors must be given the same notice and opportunity to vote on issues. Types of issues requiring a vote include but are not limited to:

- Entrance of additional vendors
- Changes to the sales times
- Election of officers
- Setting fees
- Major purchases or agreements for the farmers' market.

7. Changes to these by-laws shall be decided on the basis of over two-thirds of votes cast.

8. Entrance of additional vendors will be allowed if the new farmer agrees to follow these by-laws and is approved by a vote of the original vendors. Reasons to disallow additional vendors include but are not limited to:

- Insufficient space at the market
- Insufficient customer traffic
- Excess supply of the commodities to be sold by the new vendors
- Not agreeing to follow by-laws.

9. Additional vendors/families also receive one vote on issues.

10. Farmers cannot transfer the right to be a vendor directly to another farmer.

11. Vendors can eject one who willfully violates these by-laws, after a discussion and vote.

12. Officers will be the Chair, Vice-Chair, Secretary and Treasurer. They must be vendors and will be elected around the beginning of each sales season. Positions can be combined.

- The Chair shall chair meetings, be the main contact person for vendors and the property owner, appoint committees and bring issues to the vendors as needed.
- The Vice-Chair will assist with these duties as needed (optional position).
- The Secretary-Treasurer will maintain up-to-date by-laws and mailing list, notify vendors of meetings, keep minutes, collect fees, pay bills and keep financial records in cooperation with the Cooperative Extension Agent.

13. Farmer-vendors must extend their farm liability insurance coverage to their market stand. A separate liability insurance policy for the market area will be taken out by the group.

14. Cooperative Extension staff will play an advisory, non-voting role. The responsibilities of the agent will be to Keep a mailing list of members, notify vendors of meetings, collect fees, and pay bills.

Section III. **Membership**

1. An Annual fee of \$25.00 will be charged for an individual/family membership. Each family maintains one vote for association business.

2. Fees may consist of an annual entry fee and a weekly sales day fee. These will cover the joint costs of the farmers' market including but not limited to:

- Rent to the property owner
- Advertising and promotions
- Charges for a bank account and other products or services.

3. To gain or maintain membership, the vendor/farmer must attend at the training and certification meeting each year. Failure to attend the meeting will disqualify vendors from program participation. Cut-off date to sign up as a vendor is March 15th of each year.

4. The Pendleton County Farmers' Market is open to all people regardless of race, color, age, sex, religion, disability, or national origin.

Section IV. Rules

1. Annual fees must be paid according to the agreed-upon terms prior to selling at the farmers' market.

2. All products displayed must be produced in Pendleton County or one of the following counties:

- Bracken
- Boone
- Campbell
- Grant
- Harrison
- Kenton

Vendors from outside areas may join through the application process and approval by existing membership.

3. The Pendleton County Farmers' Market Association reserves the right to inspect or spot-check any farm records or growing sites as necessary to ensure that items being sold are grown in approved counties.

4. No commercial or wholesale purchased produce is permitted. All products sold at market must be grown or manufactured by the farmer/vendor.

5. Farmers shall indicate the major products they plan to sell on an application form to be submitted at the beginning of each season.

6. The following products are permitted to be sold:

- Vegetables
- Fruit
- Fruit baskets
- Herbs
- Bedding plants
- Seeds
- Bulbs
- Nursery Plants
- Vegetable transplants
- Flowers
- Pumpkins, ornamentals
- Eggs
- Poultry, USDA Inspected
- Fresh meat, USDA Inspected
- Preserves, cider
- Honey, maple syrup, sorghum molasses
- Canned Goods
- Cheese
- Baked goods
- Wine
- Wool, fleeces, yarn
- Homemade crafts
- Soap

7. The following items NOT permitted to be sold:

- Commercial Produce
- Flea Market Items
- Fresh Meat, Home processed
- Fresh milk
- Live animals
- Poultry, Home processed

8. Product sold can be expanded and limited by the vote of the vendors or as restricted by the property owner.

9. Vendor stands will be assigned prior to market opening.

10. All vendors MUST be identified. A sign identifying the name of the person/farm growing items sold at the market must be in an easily visible location on each stall.

11. Vendor stalls shall be kept clean and orderly at all times.

12. All produce must be kept off bare ground.

13. Vendors must comply with local, state and federal regulations that apply to their products. These include but are not limited to:

- Rules, regulations and guidelines found in the most current Kentucky Farmers' Market Manual
- Pesticide licensing, their safe use and residue levels
- A seal on weigh scales and compliance with other measure rules
- Participation in mandatory research and marketing assessments for certain ag commodities
- State sales tax collected as required
- Health regulations that limit the preparation of ready-to-eat foods
- Preserves, honey and canned foods labeled and limited as required
- Eggs labeled and sold at internal temperature as required.

14. No spoiled produce will be offered for sale. Quality and freshness will be two key selling points for the grower. Vendors may be asked to remove deteriorated produce or plants.

15. All vendors are responsible for the safety of the products they sell at the farmers' market. The Pendleton County Extension Office and Pendleton County Farmers' Market are not liable for sickness or injuries caused from products sold at the market.

16. Each grower will provide suitable containers for their goods. Pricing will be determined by the seller, but should fall between current wholesale and supermarket prices.

17. Produce shall be priced and sold by the pound, bunch, ear, dozen, peck, etc. If sold by weight, seller must provide the scale and it must be certified by the KY Department of Agriculture.

18. All members will be responsible for:

- Their own garbage receptacles
- Will clean up their own selling space
- Will remove all garbage at the end of each day

19. Individual sellers cannot advertise audibly on site.

20. No pets, except those animals assisting persons with disabilities are permitted.

21. Children (Under the age of 18) of sellers are the seller's responsibility and must be under adult supervision at all times.

22. Failure to comply with by-laws, after vendor is approached and a vote is called, will result in the following:

- First offense: Warning
- Second Offense: expulsion from the organization with no re-compensation to the expelled vendor.

23. Vendors must re-state their intent to participate at an appropriate time each year.

24. Rules and Regulations will be reviewed yearly by the officers and membership. This committee also has the right to make any necessary changes in the market operations at any time during the year.

End.

**Officers and Directors of the Pendleton County Farmers' Market
will not be responsible for accidents occurring on the premises.**

I, _____ certify that I have and read understand the Pendleton County Farmers' Market By-Laws and Rules, and agree to follow them accordingly.

I, _____ certify that I am solely responsible for the safety of the products that I sell at the market.

Signed: _____ Date: _____

FARMERS' MARKET
FALMOUTH, KY
SATURDAYS 8:00 AM - 2:00 PM
MAY - NOVEMBER



University of Kentucky
College of Agriculture,
Food and Environment
Cooperative Extension Service

Pendleton County Farmers' Market Membership Application

YEAR: 2021

Name of Principle Seller

Farm Name

Address of Principle Seller

City

State

Zip

Home Phone

Cell Phone

Work Phone

E-mail Address

Farm Website

Other Listed Sellers

List of Products/Crops to be Sold:

Membership Fee: \$25.00

Amount Enclosed: _____

Make checks payable to the "Pendleton County Farmers' Market Organization"

Reply to: Pendleton County Cooperative Extension Service · 45 David Pribble Drive · Falmouth, KY 41040

Phone:(859) 654-3395 · Fax: (859) 654-3397 · <http://pendleton.ca.uky.edu/>

Cooperative Extension Service
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LEXINGTON, KY 40546



Disabilities
accommodated
with prior notification.