

FARMERS' MARKET ASSOCIATION OF TOLEDO RULES AND REGULATIONS

Note: See section 7 for rules that supersede other sections in these Rules and Regulations.

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SECTION 1: OPERATION

1.1 Season

Affirmed: 3/4/2003

The Farmers' Market shall be open all year round.

1.2 Days

Affirmed: 3/4/2003

Revised: 4/14/2021

The Farmers' Market will be open Monday through Sunday. Special events may be scheduled with prior approval of the Board of Directors. Association Members may have the first option on renting their same stall on Sunday events, subject to the approval of the organization or individual holding the event and the Board of Directors.

1.3 Hours

Affirmed: 3/4/2003

Revised: 5/12/2012

Revised: 4/14/2021

The Farmers' Market shall maintain advertised hours of operation. Association Members and Non-Member Associates shall be permitted to sell until sunset unless a special event has been approved by the Executive Director or Board of Directors.

SECTION 2: MARKET TENANTS

2.1 Association Members

Affirmed: 3/4/2003

Revised: 2/18/04

Revised: 3/8/2006

Revised: 3/14/2018

Revised: 7/15/2020

Association Members shall be defined as growers and vendors that pay annual fees to rent space at the Farmers' Market. Association Members must meet the qualifications detailed in Section 1.01 of the Code of Regulations of the Farmers' Market Association of Toledo. In the case of a partnership, cooperative, corporation, or similar entity, one person must be designated on the required application of membership agreement as the primary contact.

In the case of a partnership, cooperative, corporation or similar entity the names of all owners must be provided to the association, with one person designated as the primary contact on the required application of membership agreement. For this situation, the Association will maintain all relations with the designated primary contact making said person the voting member for their business.

Association Members include Annual Vendors and Nomads. All Association Members hold voting privileges.

A membership year is May 1st to April 30th; annual fees cover rental for this time period. Refer to Section 3.3 for additional information on fees.

2.2 Non-Member Associates

Affirmed: 3/4/2003

Revised: 6/10/2008

Revised: 7/15/2020

Revised 4/14/2021

Non-Member Associates shall be defined as growers and vendors who rent stalls

- a) on a daily basis only at the downtown (main) market, or
- b) who rent daily at a satellite market, or
- c) who rent annually at a satellite market only (do not rent annually at the downtown market)

In the case of a partnership, cooperative, corporation or similar entity the names of all owners must be provided to the association, with one person designated as the primary contact on the required application of membership agreement. For this situation, the Association will maintain all relations with the designated primary contact.

Non-Member Associates include Dailys and Non-Profits and have no voting or patronage rights, per the Code of Regulations of the Farmers' Market Association of Toledo.

2.3 Non-Profit Groups

Adopted: 4/8/2008

Revised: 7/15/2020

Non-profit groups must apply to the Board of Directors to request use of a stall free of charge on any Saturday other than Flower Day Weekend or other special events. A maximum of two (2) stalls per day may be allocated to such groups, as long as the stalls are open/not rented. Any non-profit group may use a free stall a maximum of three (3) days per calendar year.

The non-profit group is not to use the stall for political purposes of any kind. If the non-profit intends to sell a product, the specifics of that product must be stated in their request to the market. If any product the non-profit is requesting to sell would be in competition with any paying vendor on the market, Board of Directors may approve or deny sales.

2.4 Vendor Product Mix Threshold

Adopted: 3/14/2012

Associate Members (Annual Membership only) will be reviewed in 1 or 2 of the following categories (defined in Section 3.2):

- Farmer / Producer
- Crafter
- Prepared Food
- Other

The Vendor Product Mix Threshold is defined as at least 75% Farmer / Producer category and 25% of the other 3 categories combined.

2.4(a) Vendor Product Mix (VPM) Calculation

Adopted: 3/14/2012

- 1) Calculate the total number of tables for Annual Members including those requesting a table on the waiting list. (TT = Total Tables)

Example: 123 physical tables + 10 tables on the waiting list = TT (133)

- 2) Each table is worth 2 points. Multiply the TT (above) by 2 to get the total possible points for the market. (TP = Total Points)

Example: TT (133) times 2 = TP (266)

- 3) Each table for a vendor will be associated with a category as defined in Section 3.2. If the table fits into one category, that category will get 2 points. If the table fits into two categories, each category will receive 1 point. No more than 2 categories will be associated with a table.

Example 1: The entire table is associated with the Crafter category thereby the Crafter category will receive 2 points.

Example 2: A table is associated with both the Farmer / Producer and Prepared Food categories thereby each category will receive 1 point.

- 4) Total the points in each category and divide by TP to get the percentage of vendors in the market for that category.

Examples:

- Total Farmer / Producer points (205) divided by TP (266) = 77%
- Total Crafter points (14) divided by TP (266) = 5%
- Total Prepared Food points (46) divided by TP (266) = 17%
- Total Other points (2) divided by TP (266) = 1%

Vendor Product Mix = 77% Farmer / Producer and 23% Non-Farmer / Producer

2.4(b) Maintaining the Vendor Product Mix Threshold

Adopted: 3/14/2012

The VPM will be recalculated with each change in the membership status. Decisions made by the Board of Directors of new vendor applications will be made with reference to the current VPM.

2.4(c) Exceptions

Adopted: 3/14/2012

Exceptions will be allowed if a Farmer / Producer leaves the market and the VPM falls below the 75% Farmer / Producer threshold. At such time, any subsequent Farmer / Producer application will be given priority consideration over any other category applicant until the 75% Farmer / Producer threshold is re-established.

2.5 Attendance

Adopted: 4/14/2021

An Annual Member is considered active if s/he is actively selling at the market and completed all requirements for the year. If an Annual Member does not attend for a year, has signed an Intent to Return form and has paid any fees, said member is subject to loss of stall assignment.

SECTION 3: REQUIREMENTS TO SELL AT THE FARMERS' MARKET

3.1 Application

Affirmed: 3/4/2003

Revised: 7/15/2020

Revised: 4/14/2021

All Association Members and Non-Member Associates must make application and be granted permission by the Board of Directors or Executive Director to sell on the Farmers' Market. No Association Members and Non-Member Associates shall be allowed a stand on the Farmers' Market unless s/he has completed and submitted the required items.

Permission to occupy a space and sell goods at the Farmers' Market becomes effective only after the Executive Director and/or Board of Directors have received a copy of the following on or before the producer sells at the Market each calendar year:

- A. Completed Application or Intent to Return
- B. Payment of fees
- C. Copy of Necessary Licenses and Permits

3.2 Requirements

Affirmed: 3/4/2003

Revised: 4/8/2008

Revised: 9/16/2008

Revised: 3/14/2012

All new vendors accepted after 1/1/1999 must grow or produce at least 60% of their products in each category.

Four categories are used to define each Associate Member and Non-Member Associate:

- Farmer / Producer
- Crafter
- Prepared Food
- Other

3.2(a) Farmer / Producer

Adopted: 3/14/2012

An Associate Member or Non-Member Associate is defined as a Farmer / Producer if they are responsible for both planting and harvesting the produce or raising and harvesting the product. A Farmer / Producer is responsible for the product from beginning to end.

Major areas in the Farmer / Producer category are:

- Fruits
- Vegetables
- Herbs
- Cut Flowers
- Meat
- Eggs
- Honey
- Bedding Plants
- Container Plants (including pots and hanging baskets)
- Other

3.2(b) Crafter

Adopted: 3/14/2012

Associate Members and Non-Member Associates that are in the 'Crafter' category are individually reviewed at the time of their application to ensure a major portion of the items they offer for sale are due to their hand-crafting.

3.2(c) Prepared Food

Adopted: 3/14/2012

Associate Members and Non-Member Associates who process whole foods into ready-to-eat products such as BBQ, salsa, coffee beans, kettle corn, and Cottage Foods as defined by the Ohio Department of Agriculture, will be reviewed as a Prepared Foods Vendor.

3.2(d) Other

Adopted: 3/14/2012

Associate Members and Non-Member Associates that are in the 'Other' category are individually reviewed at the time of their application, to ensure any item offered for sale fits within the expectations and standards of the Board of Directors and customers of the Farmers' Market.

3.3 Fees

Revised: 4/30/03

Revised: 2/18/04

Revised: 4/8/2008

Revised: 7/15/2020

A schedule, giving the Farmers' Market Fees and Seasonal Stall Rentals as approved by the Board of Directors, will be available in the Farmers' Market Office at all times. All Association Members and Non-Member Associates will be charged a \$25.00 application fee. New Association Members are required to pay their annual rent in full prior to assignment of their stall(s). If application for a new Association Member is received after May 1 of any calendar year, the rent payment is due upon receipt of invoice after approval by the board.

Seasonal stall rental may be paid in a lump sum or in two installments of 50 percent each. All or the first half of the payment for the current calendar year's rent must be received before May 1st, whether or not the stall is actually being used. Failure to submit this payment before May 1 will result in a ten (10) percent fine of the first half payment. (Stallholder has fifteen days to pay fine and first half payment.) During these fifteen days, the stall can be used if daily rate is paid before setting up of stall, with this daily rent not being reimbursed or used towards first half rent or fine. If the first-half payment and fines are not received by May 15, the stall will be leased without refunding any partial payments or daily rental payments made, amid the privilege of having first preference for the stall for the next calendar year shall be forfeited. All first payments stall rent fees must be received by May 15, whether or not the stall is being used before that time.

Final payment (the remaining 50 percent of the stall fee) must be made before September 1. Failure to submit this payment before September 1 will result in a ten (10) percent fine of the second half payment. Stallholders have fifteen days to pay fine and second half payment. During these fifteen days stalls can be used if daily rate is paid before setting up of stalls, with this daily rent not being reimbursed or used towards the second half remit or lines. If second half payment and fines are not made by September 15, the stall will be leased to another party without refunding any payments previously made, and the privilege of having first preference for any stall for the next calendar year shall be forfeited. Enforcement of this rule is made by the Executive Director, with only over-ruling made by Board vote after reviewing the case.

A signed copy of these rules must be on file in office before stalls are considered rented for the season. That way all stallholders know the rules before payment is made. Non- Member Associates must pay their daily fee upon arrival at the Farmers' Market.

A service charge of \$25 will be assessed for any check that is returned for insufficient funds or other causes.

3.3(a) Tables & Stalls - Yearly Rental

Revised: 4/30/03

Revised: 2/18/04

Revised: 2/14/07

Revised: 9/8/10

Stalls at the market consist of a table with a display area. Association Members renting on an annual basis are allowed to rent a maximum of five stalls. Each stall number rented counts towards the five stall maximum.

An inside corner and its adjacent stall do not include a regular parking area. Inside corners are identified as stall numbers 8-9, 33-34, 49-50, 85-86, 105-106, and 113-114. If the inside corner stall is rented without the adjacent regular stall, the corner stall received no discount and will be charged the regular stall price.

An outside corner stall includes a regular parking area. These are specially designated as such since a vendor can go down the length of their parallel lines and sell to the public. These outside corners allow these vendors to go down the sides of their stalls, or to box in their areas for more sales footage. Outside corners are identified as stall numbers 71, 72, 57, and 58.

A regular stall includes the adjacent parking area. Association Members and Non-Member Associates renting a regular stall have the display area of the table to display their goods, the parking area between the parallel lines, and no further.

If the space between the parallel lines is used for display/selling purposes, all vehicles belonging to the vendor must be parked off the Farmers' Market.

The pricing schedule is as follows:

Regular stall \$400 (Any stall that is not an Inside Corner or Outside Corner)

Inside Corner \$75

Outside Corner Premium \$50

3.3(a)(4) Westgate Market

Adopted: 5/13/2008

Revised: 6/10/2008

Revised: 4/14/2010

Revised: 4/13/2011

Revised: 8/8/2012

Revised: 3/19/2014

Revised: 7/15/2020

Revised: 4/14/2021

A stall at the Westgate Market is a space with 12' frontage and can be rented as a full stall by one vendor, or as two half stalls with each half rented by two different vendors. The maximum number of stalls a vendor can occupy is three.

Seasonal fee schedule for the Westgate Market is as follows:

- a) Association Members - \$100 for the first stall per market season, \$50 for each additional stall.
- b) Non-Member Associates - \$250 for the first stall per market season, \$125 for each additional stall.
- c) Daily rental for both Association Members and Non-Member Associates will be \$15 per table per day.

3.3(b) Daily Rentals

Revised: 4/30/2003

Revised: 2/18/2004

Revised: 2/08/2006

Revised: 3/08/2006

Revised: 2/14/2007

Revised: 5/12/2012

Revised: 4/10/2019

Revised: 7/15/2020

Association Members and Non-Member Associates who rent stalls on a daily basis will abide by the following:

Daily Rentals will be charged an In-Season or Off-Season rate. The In-Season rate period is May 1st through November 31st. The Off-Season rate period is December 1st through April 30st.

In-Season Daily Rentals will be charged \$40.00 per stall. Once a \$600.00 maximum has been reached, a daily rental of \$0.00 per stall will be charged for the remaining of the market season (April 30th).

Off-Season Daily Rentals that have not met the \$600.00 maximum fee will be charged \$10.00 per stall.

If an In-Season Daily Rental extends into the Off-Season period before meeting the \$600.00 maximum fee, the Daily Rental will be charged the Off-Season rate of \$10.00 per stall. Once the \$600.00 maximum fee is met, the Daily Rental will be charged \$0.00 per stall until the end of the market season (April 30st).

Dailys may choose to pay the entire year rental of \$600.00 at one time and by May 1st with the understanding that refunds will not be given for non-attendance days.

3.3(b)(1) Flower Day Weekend

Adopted: 4/30/03

Revised: 3/11/09

Revised: 4/12/17

Revised: 7/15/2020

Association Members who rent additional stalls on Flower Day Saturday will be charged a rental fee of \$85 per additional stall. Association Members will be charged \$85 per stall on Flower Day Sunday for all stalls they use regardless of the number of stalls they rent on an annual basis. Association Members who participate in Flower Day Saturday and Sunday will not be charged additional rental if they also participate in Flower Day Monday, up to the number of stalls they rent on an annual basis. Non-Member Associates who rent stalls on Flower Day Saturday only will be charged \$150, or Saturday and Sunday will be charged a rental fee of \$105 per stall per day. Non-Member Associates who rent stalls on Flower Day Monday will be charged a rental fee of \$60 per stall.

Exception: Non-Member Associates that have maxed out the previous year but are not yet nomads as of the current year, will be discounted \$85 if they rent all three days of Flower Day Weekend.

3.3(c) Poultry House Annual Rental

Adopted: 2/18/04

Revised: 7/15/2020

Revised: 4/14/2021

The Poultry House is rented subject to the current lease approved by the Board of Directors and reviewed upon changes.

3.4 Attendance

Adopted: 3/19/2014

Board approved Non-Member Associates that have been absent for one year must re-apply and if reapproved, establishes a new seniority date.

3.6 Items That May Be Sold

Affirmed: 3/4/2003

Revised: 3/11/2008

All Association Members and Non-Member Associates may sell butter, fresh fruits, vegetables, flowers and crafts, subject to required licenses and permits. Additional items may be sold subject to the approval of the Board of Directors.

3.7 Pricing of Products

Adopted: 3/11/2008

Product dumping or radical price cutting is prohibited. Produce of poor/inferior quality, or that is overripe, may be sold at a reduced price if it is clearly labeled as such. Association Members and Non-Member Associates who are observed selling at below standard prices will be given one warning that they are at risk under this section of the Rules and Regulations. An Association Member or Non-Member Associate who is noted to be in violation a second time will be expelled from the market for the rest of the season, with no

refund given. The vendor will have to re-apply if s/he wants to come back on the market in any succeeding season.

SECTION 4: DAILY OPERATIONS

4.2 Signage

Affirmed: 3/4/2003

Revised: 5/13/2008

Signs displaying vendor information are encouraged on the market, commercial sponsorship is not allowed. The Board of Directors shall be provided with the responsibility to approve or reject all signage, display tables and stall additions in order to control visibility, uniform design and continuity within the Farmers' Market.

4.3 Awnings and Tarps

Affirmed: 3/4/2003

Awnings and/or tarps may be used in a temporary fashion to reduce exposure to rain or sun. All such materials must be removed or stored in a secure fashion at the end of the market day.

4.4 Use of Stalls

Affirmed: 3/4/2003

Revised: 6/25/2003

Revised: 4/10/2019

Revised: 7/15/2020

All of the space at the Toledo Farmers' Market is rented on a seasonal basis to Association Members and shall be reserved for such renters until 2:00 pm the day prior to market. The Executive Director will create a space plan for the next day's market and publish this via email by 5:00 pm on the day prior. Notification is only required for those that were not at the market the previous week, otherwise the vendor will be automatically reserved the same location. However, if the member fails to notify the Executive Director prior to 2: pm on the day prior to market that they will not be attending that week, they are subject to losing their automatic reservation privilege. No vendor can sublet their space period.

4.4(a) Use of Unoccupied Stalls

Affirmed: 3/4/2003

Revised: 8/09/06

Revised: 10/11/06

Revised: 7/15/2020

During the market season, any Association Member can occupy any empty stall where it is known that the Association Member owning that stall is not coming down to the Farmers' Market that day as long as it is assigned by the Executive Director as described in 4.4. The number of stalls cannot exceed his/her number of stalls, and the same open stalls cannot be assigned to the same Association Member for more than three consecutive weeks. If an Association Member wishes to be placed in an alternate stall or stalls on a given day, s/he must let the Executive Director know prior to 2:00 pm on the day prior to market.

4.5 Using Unassigned Stalls

Affirmed: 3/4/2003

Any Association Member or Non-Member Associate found using more stall space than s/he paid for will be required to pay for the additional space occupied based upon a full daily rate.

4.6 Parking

Affirmed: 3/4/2003

Revised: 4/14/2021

No person shall park his/her vehicle, or leave their product out for display, unattended, on the public the Farmers' Market grounds except while s/he is transacting legitimate market business on said market, during stated The Farmers' Market hours of operation. Parking on the Farmers' Market may be approved subject to the approval of the Board of Directors.

4.7 Decorum/Soliciting

Revised: 5/28/2005

Revised: 7/15/2020

Discourtesy to patrons and other Association Members and Non-Member Associates, obscene language, shouting or hawking of wares with or without amplified sound is prohibited. Product promotion may occur at the stall only, not in the aisle or elsewhere in the Farmers' Market. No portion of the aisle or walkways may be used for display purposes, as they must be kept clear for the free passage of pedestrians. Additionally, solicitation on the Farmers' Market premises by the general public is not allowed for any reason.

4.8 Sanitation

Affirmed: 3/4/2003

Revised: 7/15/2020

No person shall leave vegetable refuse or other garbage, broken crates, boxes, barrels or pieces thereof, paper, or other rubbish within the stall area. All vegetable refuse, broken crates, boxes, barrels, and associated paper or garbage must be either taken home by the Association Member or Non-Member Associate or disposed of within designated refuse area. Trash barrels located on the Farmers' Market are for consumer generated trash, and trash from the restrooms, and the office.

4.9 Compliance with the Rules

Affirmed: 3/4/2003

Revised: 7/15/2020

In all cases, responsibility of adherence to the Farmers' Market rules shall be borne by the Association Member and Non-Member Associate, and/or Non-Profit occupying the stall.

4.10 Alcohol

Affirmed: 3/4/2003

Revised: 2/13/2019

Revised: 7/15/2020

There is to be no alcoholic beverages served or consumed on the Farmers' Market premises during retail market hours by customers or vendors with the following exceptions:

- Vendors legally licensed to sell beer and/or wine with an F10 State of Ohio License at a farmers' market and may offer samples within the state's guidelines, i.e. samples for a price with a per person limit.

Any violation of this rule is subject to immediate removal of the vendor/customer by the market director.

4.11 Keys

Adopted: 8/21/2005

Revised: 4/14/2021

Revised 4/14/2021

Any Association member needing an FMAT key is required to submit a written request to the Board of Directors (via the 'Key Request Form' that can be obtained at the office), stating the reason the key(s) are needed. Upon approval by the Board of Directors, the key(s) will be issued. The Association member will be required to sign a form affirming receipt of the key(s).

All keys to FMAT property are covered by this including, but not limited to, the office, shed, restrooms, FMAT owned locks on chains.

SECTION 5: VIOLATIONS

5.1 Non-Compliance

Affirmed: 3/4/2003

Association Members and Non-Member Associates who do not comply with the Rules and Regulations may forfeit their right to sell at the Farmers' Market.

5.2 Penalty

Affirmed: 3/4/2003

Revised: 3/11/2008

Except as noted in section 3.7 of the Rules and Regulations, the Executive Director shall verbally warn violators of these Rules and Regulations for the first violation of a rule. If an Association Member or Non-Member Associate violates a rule for a second time, the Executive Director shall mail the violator a written warning. If the violation is repeated a third time or more, the Board of Directors shall deal with the case and determine the penalty. The Directors may fine the violator or suspend him or her from selling at the Farmers' Market.

Notwithstanding the previous paragraph, in cases of extreme or disruptive misconduct amid/or violation, the Executive Director has authority to impose a fine not to exceed \$100 and/or suspension for a period not to exceed five market days.

If any Association Member or Non-Member Associate, throughout negligence, willful conduct, or violation of these Rules and Regulations acts or fails to act, and such action or failure to act results in expense to the Association, such Association Member or Non-Member Associate shall be responsible for any costs incurred by the Association. Failure to pay the incurred costs within 15 days of receiving an invoice will result in the suspension from the Farmers' Market until the invoice is paid in full.

5.3 Appeal

Affirmed: 3/4/2003

Any person who has been aggrieved by a decision of the Executive Director may appeal directly or through his/her personal representative to the Board of Directors of the Farmers' Market Association of Toledo. The appeal must be made in writing and personally delivered or mailed by certified or registered mail to the President or Vice President of the Board, who shall as soon as possible notify the President. The President shall convene a meeting to consider the appeal or place the matter on the agenda of a regularly scheduled Board meeting. The Board shall decide whether to grant or deny the appeal or whether further action is necessary, as the case may dictate. The Board's decision shall be delivered to the aggrieved member within 30 days of the President or Vice President's receipt of the appeal.

5.4 Arbitration

Affirmed: 3/4/2003

Any differences between an Association Member and Non-Member Associate and the Association as to their several rights and obligations under the Articles of Incorporation, Code of Regulations, Rules and Regulations, or any other contractual agreement that are not settled by mutual agreement after Board review, as provided in Section 5.3 above, shall be submitted for arbitration to a committee of three disinterested person, one selected by each party and the third by the two thus selected. The committee shall establish rules for arbitration procedures appropriate for thus circumstances. The committee shall include its reasoning in its written decision. Judgment upon any award rendered may be entered in any court having jurisdiction.

SECTION 6: Board Operations

6.1 Board Attendance at Meetings

Adopted: 9/28/2005

Any member of the Board of Directors will be allowed a maximum of three absences in a fiscal year, without cause. Any member of the Board of Directors who has good cause for missing Board meetings, may request a waiver of this provision. The waiver must be requested prior to the start of the third Board meeting that is missed, and must be requested prior to each subsequent Board meeting that is missed. At the meeting where a waiver has been requested, the Board of Directors will vote to determine whether to grant or reject the waiver.

SECTION 7: USE OF ENCLOSURE

7.1 Definition and Section Usage

Adopted: 8/14/2007

Revised: 7/15/2020

The 'Enclosure' as referred to in this and other sections of the Rules and Regulations, refers to the area of the market that has been upgraded to include garage-type pull down doors and any temporary/seasonal additions to the permanent structure, as well as window-type doors that people would walk through to gain entrance to the area. Any and all upgrades associated with enclosing the area nearest the Libbey entrance are included within the definition of the enclosure. Any and all stalls located within the enclosure will be referred to as 'enclosure stalls'. All rules located within this section of the Rules and Regulations supersedes any similar preceding section, where applicable.

7.2 Season

Adopted: 8/14/2007

Revised: 5/14/2014

Any and all use of the enclosure will be limited to December 1 through April 30.

7.3 Stall Assignments

Adopted: 8/14/2007

Revised: 3/19/2014

Revised: 7/15/2020

Throughout the enclosure season mentioned in Section 7.2, revised stall assignments will be issued by the Executive Director for Association Members submitting a request for the enclosure stall(s); any and all previous stall assignments are for non-enclosure season only. Association Members wanting an assignment to an enclosure stall or stalls must fill out an 'Enclosure Stall Request Form'. Assignments made at the beginning of the enclosure season will be good through the end of that season only.

Association Members receiving stall assignments for enclosure stalls during the season mentioned in Section 7.2 may not receive the full amount of stalls requested. The Executive Director will assign enclosure stalls on a pro-rated basis depending on the number of stalls that are assigned to a vendor during the regular season, and based on the number of Association Members requesting assignment to the enclosure stalls. Association Members assigned to enclosure stalls will have until 9 am each day to claim their stalls, unless other arrangements are made with the Executive Director by 2 pm on the day prior to market. Association Members not assigned to an enclosure stall but wanting one will be assigned to any empty enclosure stalls after 8 am each day. After any and all Association Members have been placed, Non-Member Associates may then be placed in an enclosure stall, based on seniority. Seniority will be based on the calendar year attendance.

7.4 Usage of Enclosure Space

Adopted: 8/14/2007

Revised: 7/15/2020

By 9 am each day, overhead doors are to remain closed unless there is a specific need to open them. The enclosure is intended to provide shelter and hospitable conditions to those inside, continual opening of the garage doors will not allow this to happen.

7.6 Operating Enclosure Fees

Adopted: 11/11/2015

Revised:

Every vendor will be charged monthly from December through April a \$10 Winter Fee to help cover cost of gas used for heat as well as snow and ice control.

SECTION 8: Stall Assignments

8.1 Stalls Committee

Adopted: 3/10/2010

Revised: 7/15/2020

Once a year prior to the March Board meeting, the Stalls Committee will meet to review open stall requests. Any stall request that does not have the required \$25 application fee on deposit will not be considered and will be marked as closed.

After the committee has determined what stalls are open and available, stall assignments will be made in the following order:

- 1) Association Members with a valid request to change stalls
- 2) Association Members with a valid request to add stalls
- 3) Association Members with no previous stall assignment, that have submitted their initial stall request.

Stall assignments will be considered based on the stall application submitted by the Association Member, but stalls will be filled based on availability and may not necessarily match what was requested.

If a stall opens up at any time after the committee has met for the year, the Executive Director and the Stalls Committee chairman, or the Stalls Committee, will review open applications in the same order as listed above to fill the open stall. A vendor does not have to accept the offered stall and may remain on the wait list until s/he does accept.

8.2(a) Association Members Requesting to Change Stall Assignments

Revised: 3/10/2010

Association members wishing to change stall assignments must complete an application, and submit the application along with a non-refundable \$25 application fee to the office. Once the terms of the application have been filled, the \$25 application fee will be applied to the member's annual stall rent.

8.2(b) Association Members Requesting to Add a Stall or Stalls

Revised: 3/10/2010

Association Members wishing to add a stall or stalls must complete an application, and submit the application along with a non-refundable \$25 application fee to the office. Once the terms of the application have been filled, the \$25 application fee will be applied to the member's annual stall rent.

8.2(c) Association Members with Initial Stall Request

Revised: 3/10/2010

Association Members, for their initial stall request, must complete an application and submit the application to the office. The \$25 application for the stall request is waived.

8.2(d) Stall Release

Adopted: 4/12/2017

The process of reclassifying a stall from assigned status to an unassigned status is as follows:

1. A Stall Release Form will be signed by one of the following: 1) the Association Member that is the primary signature of the FMAT contract, 2) the secondary signature on the FMAT contract, or 3) in case of death, signed by the next of kin. The Release Date will determine how the stall is reassigned as suggested in the following items.
2. Stalls will become available for reassignment in one of the following ways:
 - March of each year for stalls vacated without a Stall Release Form
 - May 15th due to non-payment (Stall Forfeiture)
 - When a signed Stall Release Form has been submitted after a death. (see #4)
3. Stalls will be assigned with respect to the following priority:
 - Previously submitted Request to Change Stall Forms by oldest date
 - Previously submitted Request to Add Stall Forms by oldest date
 - Association Members without and assigned stall by seniority
 - Non-Association Members (Daily) thus becoming an Association Member
4. When a death occurs:
 - The time from the announcement of the death until a signed Stall Release Form is obtained, all Stall Requests for said stall will not be accepted (frozen) in order to give the surviving family time to decide how to proceed with this issue.
 - Once a Stall Release Form has been received, an announcement will be made that the restriction time for submitting Stall Requests will be lifted and any stall requests will be received.

8.3 Market Needs

Adopted: 3/10/2010

Stalls will be assigned on an annual basis, and can be re-assigned based on the needs of the market at any time.

From time to time, FMAT may have more annual vendors than stalls. Associate Members in this situation without a stall assignment will be kept on a waiting list according to their new vendor application date. Until a stall is assigned, these vendors will be assigned a temporary stall on a daily basis if there are any open stalls. If there are no open stalls, the vendor may use his/her own tables and set up where the Executive Director designates.

8.5 Transfer of Stalls

Affirmed: 3/4/2003

Revised: 3/10/2010

Association Members do not have the right to sell or assign the use of their stalls to any other party. In the case of a partnership, cooperative, corporation, or similar entity, the names of all owners must be provided to the association. If there is a change in the ownership of the partnership, cooperative, corporation, or similar entity, the Association must be notified. For this situation, the Association will maintain all relations with the designated single representative. In the event that a partnership, cooperative, corporation, or similar entity has a change in ownership, the Association will treat the remaining owners as sole and exclusive owners. There will be no transfer of membership or rights to equity to former members, consistent with sections 1.01, 1.02, and 8.07 of the Code of Regulations of the Farmers' Market Association of Toledo, and Article V of the Articles of Incorporation of the Farmers' Market Association of Toledo.

Section 9: Satellite Market Operations

9.1 Management

Affirmed: 10/14/2015

The Satellite Market Manager is selected by the Executive Director.

9.2 Layout

Affirmed: 10/14/2015

In consultation with the Executive Director the layout maps are drawn up with the goal being to present our customers with the best possible satellite market. Satellite Markets use a fluid market concept that allows the market the ability to expand and contract as needed without leaving holes that can cause safety concerns.

9.3 Vendor Standing

Affirmed: 10/14/2015

Status / Seniority at Downtown Market has no bearing on placement at Satellite Markets.

9.4 Market Rules / Violations

Affirmed: 10/14/2015

Rules of Decorum (section 4.7) apply at all satellite markets. Vendors in violation of market rules are subject to fines and or possible suspension from **ALL** markets. Suspensions in excess of two weeks must have board approval. Complaints regarding Market Management should be directed to the Executive Director or the Board of Trustees.

Obsolete:

3.3(a)(5) Waterville Market

Adopted: 6/10/2008

Obsolete: 3/10/2010

Fee schedule for the Waterville Market is as follows:

- a) Association Members - \$125 per stall per market season
- b) Non-Member Associates - \$150 per stall per market season
- c) Non-Member Associates - \$15 per stall per day.

3.4 Application Process for Change in Stall Number Location

Affirmed: 3/4/2003

Obsolete: 3/10/2010

Applications will be processed in the following order: Changes in Stall Locations, Requests by Association Members for new stalls, requests by Non-Association for new stalls. Association Members will be limited to a maximum of five (5) stalls. Association Member with more than five stalls on June 3, 1993 may continue to retain their current number of stalls. The Association has the right to reduce the number of stalls of members exceeding five through a process that is impartial to all members with more than five stalls and approved by the Board of Directors.

3.4(a) Change in Stall Number Location for Grandfathered in Associate Members

Affirmed: 3/4/2003

Obsolete: 3/10/2010

Any Association Member, who grandfathered in at the Farmers' Market with over five stalls, and wishes to change stall location, will now be subject to the current five stall limit, with the grandfather clause being null and void.

3.4(b) Application Process or Change Stall Location

Affirmed: 3/4/2003

Obsolete: 3/10/2010

Association Members must request a change in stall location (no increase in total number for the member) in writing to the Executive Director. This request must be signed and dated and will be maintained in an official record by the Executive Director. The Executive Director will offer any available stall to Association Members requesting a change in stall location in the order of receipt. If an Association Member elects not to change stalls, their request will be retained without any loss of seniority. A \$25 nonrefundable application fee will be charged, due with the application. This fee may be applied to the next seasonal stall rental following a change in stall location.

3.4(c) Application for New Stalls by Association Members

Affirmed: 3/4/2003

Revised: 5/13/2008

Obsolete: 3/10/2010

Association Members must request a new stall (not to exceed a total of five stalls) in writing to the Executive Director. This request must be signed and dated and will be maintained in an official record by the Executive Director. The Executive Director will offer any available stall to Association Members requesting a new stall in the order of receipt. If an Association Member elects not to accept the new stall, their request will be retained without any loss of

seniority. A \$25 non-refundable and non-transferable application fee will be charged, due with the application. This fee may be applied to the initial seasonal stall rental.

3.4(d) Application for New Stalls by Non-Association Members

Affirmed: 3/4/2003

Obsolete: 3/10/2010

Non-Association Members must request a new stall in writing to the Executive Director. This request must be signed and dated and will be maintained in an official record by the Director. The Executive Director will offer any available stall to Non-Association Members requesting a new stall in the order of receipt. If a Non-Association Member elects not to accept the new stall, their request will be retained without any loss of seniority. A \$25 non-refundable application fee will be charged, due with the application.

3.5 Transfer of Stalls

Affirmed: 3/4/2003

Obsolete: 3/10/2010

Association Members do not have the right to sell or assign the use of their stalls to any other party. In the case of a partnership, cooperative, corporation, or similar entity, the names of all owners must be provided to the association. If there is a change in the ownership of the partnership, cooperative, corporation, or similar entity, the Association must be notified. For the situation, the Association will maintain all relations with the designated single representative. In the event that a partnership, cooperative, corporation, or similar entity has a change in ownership the association will treat the remaining owners as sole and exclusive owners. There will be no transfer of membership or rights to equity to former members, consistent with sections 1.01, .02 and 8.07 of the Code of Regulations of the Farmers' Market Association of Toledo and Article V of the Articles of Incorporation of the Farmers' Market Association of Toledo.

3.3(a)(4) Westgate Market

Adopted: 5/13/2008

Revised: 6/10/2008

Obsolete: 4/14/2010

Fee schedule for the Westgate Market is as follows:

- a) Association Members - \$100 per stall per market season
- b) Non-Member Associates - \$250 per stall per market season

There are no daily rentals at the Westgate Market

3.3(a)(6) Fallen Timbers Market

Adopted: 3/10/2010

Obsolete: 4/14/2010

Fee schedule for the Fallen Timbers Market is as follows:

- a) Association Members - \$200 per stall per market season
- b) Non-Member Associates - TBD
- a) Non-Member Associates - \$15 per stall per day.

3.3(a)(1) Inside Corner Stalls

Revised: 4/30/2003

Revised: 2/18/2004

Obsolete: 9/8/2010

In order to maintain the flow of the Farmers' Market, Association Members who are located at the inside corners will receive a discount on the price of the inside corner stall as long as they rent the adjoining regular stall at full price. This inside corner also alleviates a potential parking problem. Inside corners are identified as stall numbers 8-9, 33-34, 49-50, 85-86, 105-106, and 113-114. Association Members who rent the inside corner stall along with the regular adjoining stall will be charged as follows: One regular stall and one inside corner stall. If the inside corner stall is rented without the adjoining regular stall, the corner stall receives no discount and will be charged the regular stall price.

3.3(a)(2) Outside Corners

Revised: 4/30/2003

Revised: 2/18/2004

Obsolete: 9/8/2010

Association Members who have stalls on the ends of the Farmers' Market have what is called Outside Corners, where they can go down the length of their parallel lines and sell to the public. These outside corners are purchased, and not only allow these vendors to go down the sides of their appoint stalls, but to box in their areas for more sales footage. This also means that these stallholders may bring additional tables to the Farmers' Market to use in their stalls. These tables if left at the Farmers' Market during the season, must be secured and have the same specifications as to color as all tables at the Farmers' Market.

Association Members who rent an Outside Corner Stall will be charged as follows: One Regular Stall plus the Outside Corner premium, as noted in Section 3.3(a). Outside corners are identified as stall numbers 71, 72, 57 and 58

3.3(a)(3) Ledge Stalls

Adopted: 2/18/2004

Obsolete: 9/8/2010

Ledge stalls are identified as stall numbers 13 through 29 (excluding 22 and 23 which do not exist).

4.1 Tables and Stall Additions

Affirmed: 3/4/2003

Obsolete: 9/8/2010

The Board of Directors and the Association defines a "stall" at the Farmers' Market to the table where the goods are displayed and the parking area between the parallel lines and no further. If the space between the parallel lines is used for display/selling purposes, all vehicles belonging to the stallholder must be parked off the Farmers' Market.

3.3(a)(6) Fallen Timbers Market

Adopted: 3/10/2010

Revised: 4/14/2010

Obsolete: 4/13/2011

A stall at the Fallen Timbers Market is a space with 12' frontage. The maximum number of stalls a vendor can occupy is four.

Fee schedule for the Fallen Timbers Market is as follows:

- a) Association Members – TBD (a) for the first stall per market season, ½ TBD(a) for each additional stall.
- b) Non-Member Associates - TBD(b) for the first stall per market season, ½ TBD(b) for each additional stall.
- c) Non-Member Associates - TBD(c) per stall per day.

Note: Prices are negotiated with Fallen Timbers Management and have not been set at this time for the 2010 Market season. Also note that Fallen Timbers Management at this time is requiring FMAT to allow for daily rentals for Non-Member Associates

7.5 Fees

Adopted: 8/14/2007

Revised: 10/10/2007

Obsolete: 5/14/2014

Association Members that commit to being at market every Saturday during a given month of the enclosure season will not be charged any additional rent. Otherwise, there will be a \$10 per day premium to the regular daily rental for Association Members and Non-Member Associates. If an Associate Member makes a commitment to be at the market every Saturday in a given month during the enclosure period and then does not show up, they will be charged \$30 for that month. Exceptions to this rule will have to be approved by the Board of Directors.

8.4 Change in Stall Number Location for Grandfathered-in Associate Members

Affirmed: 3/4/2003

Revised: 3/10/2010

Obsolete: 7/15/2020

Any Association Member who grandfathered-in at the Farmers' market with over five stalls and wishes to change stall location, will now be subject to the current five stall limit with the grandfather clause being null and void.