

PARK RIDGE FARMERS MARKET RULES OF OPERATION

Adopted by the Farmers Market Committee, July 17, 2019

Amended August 21, 2019

Amended August 12, 2020

Amended July 20, 2021

Amended February 9, 2022

I. GENERAL

- A. Enablement.** The City of Park Ridge’s Municipal Code establishes “a marketplace to be known as the Farmers Market for the sale of produce, processed, packaged, or prepared food...” This Farmers Market is governed by the Farmers Market Committee, which consists of nine members, and is empowered to promulgate rules and regulations for the operation of the Farmers Market in a manner which protects the public health and safety and which results—to the extent practicable and in light of all lawfully available revenue sources—in the Farmers Market being a self-sustaining enterprise. The Committee shall appoint from its members “up to two Market Masters, who shall be charged with the duties set forth in Article 12, Chapter 7 of the Park Ridge Municipal Code and such other duties as may from time to time be assigned by the Committee.”¹
- B. Mission Statement.** The Park Ridge Farmers Market aims to be a vibrant destination for families and visitors to gather in the community and interact with and purchase goods from local farmers, producers, and artisans. The Market provides access to fresh and safe foods to all consumers, connects patrons with area businesses, and offers an opportunity for education. In addition to promoting healthy eating and wellness, the Market also supports resident participation in a thriving, local economy.
- C. Market Season and Hours.** The Farmers Market operates each Saturday from Memorial Day weekend through the end of October. Hours of operation are 7 am – 1 pm. The Market Masters reserve the right to adjust market days and hours due to inclement weather or unforeseen circumstances.
- D. Market Location.** The market is located on public property at 15 Prairie Avenue in Park Ridge.
- E. Market Managers.**
- 1. Authorization.** To assist with the operation of the Farmers Market, the Farmers Market Committee may engage the services of one or more Market Managers. Costs associated with such positions shall be included in the budget of the Farmers Market Committee, and shall be re-authorized by the Committee on an annual basis. Procurement and the letting of a contract for the services of Market Managers shall comply with City procurement rules and policies.
 - 2. Duties.** The Market Managers shall be on site during each Market day and provide support to the Market Masters vendors, and patrons. The Market Manager responsibilities shall include

¹ Park Ridge Municipal Code, Article 4 (Boards and Committees), Chapter 7 (Farmers Market Committee)



supervising set-up of the Market and monitoring various activities and events. A specific list of Market Managers' duties is found in Appendix A to these Rules.

- F. Participation in the Market.** Those persons or entities desiring to sell produce, other products, or otherwise participate in the Farmers Market, must be approved as a vendor by the Farmers Market Committee. Such approval is granted for one market season only, and renewal for the following season is not guaranteed. See Section III below for vendor categories and Sections IV and V for application process and selection criteria.
- G. Annual Market Fees.** Fees for participation as a vendor are determined by the Farmers Market Committee and may be adjusted from year to year. Additionally, vendors offering prepared food and beverage items for on-site consumption may be required to pay the appropriate City food establishment or liquor license fee, which is determined per the City's Municipal Code.² All fees are non-refundable and non-transferable. Farmers' Market fees will not be pro-rated based on vendor attendance or hours of operation.
- H. Consents.** The City of Park Ridge and the Farmers Market Committee may tell regulators about vendor non-compliance, and reserve the right to inform other farmers markets about farm inspection results or disciplinary decisions.
- I. Acknowledgments.** Neither the City of Park Ridge nor the Farmers Market Committee makes guarantees about sales or traffic, and neither offers business or legal advice to vendors. Neither the City of Park Ridge nor the Farmers Market Committee makes any representations or warranties regarding the location assigned to each vendor or the condition of the property on which the Market is operated. All vendors participate based on their own investigation and not in reliance on any representations from any officer, agent or employee of the City.

II. ENFORCEMENT OF RULES

- A. General.** Vendors at the Park Ridge Farmers Market must conform at all times to any applicable federal, state, and local regulations. As promulgated in Article 12, Chapter 7 of the Municipal Code, the Market Masters have authority to enforce the rules of the market. Market Managers, acting on behalf of the Market Masters, may also enforce these regulations.
- B. Health.** Those vendors selling food or beverages may be subject to the provisions of Article 5 (Health) of the Park Ridge Municipal Code. The City's Environmental Health Officers routinely make inspections at the Market and have the authority to enforce the City's health regulations.
- C. Consequences of Non-Compliance with Rules.**
 - 1. Potential Responses.** The Market Masters, Market Managers and, to the extent permitted by the Municipal Code, the Environmental Health Officers, may respond to non-compliance with rules and regulations with disciplinary action in one or more of the following ways:
 - a. Issuing verbal and/or written warnings;
 - b. Closing the booth for the balance of the market day;
 - c. Limiting product or service offerings;
 - d. Limiting future market participation;
 - e. Modifying the conditions of current or future market participation;
 - f. Issuing fines (Environmental Health Officers only);

² See City of Park Ridge Municipal Code: Article 12 (Businesses and Occupations), Chapter 7 (Farmers Market), paragraphs H and I; and Article 5 (Health), Chapters 1, 2 and 3.



- g. Suspending vendor participation for multiple days;
 - h. Revoking market vendor permit and/or temporary food permit.
2. **Flexibility.** The Market Masters and Environmental Health Officers may exercise discretion in responding to non-compliance with these Rules. They do not need to follow any particular sequence, and they may respond in more than one manner at a particular time without waiving the right to elect additional remedies or penalties.
 3. **Adverse Impact on Subsequent Applications.** Additionally, failure to follow these Rules may have an adverse impact on a vendor's subsequent applications for participation in the Farmers Market.
- D. Appeals of Disciplinary Actions.** Those vendors subject to disciplinary action may appeal those decisions to the Farmers Market Committee. Decisions of the Environmental Health Officers are subject to appeal to the Director of Community Preservation and Development, City of Park Ridge. Citations issued by the Environmental Health Officers may be appealed through the City's adjudication system.

III. VENDOR CATEGORIES AND ELIGIBILITY REQUIREMENTS

A. Vendors. A vendor is defined as any person, company, or organization approved by the Market Masters for a booth at the Farmers Market, or otherwise authorized for participation in the Farmers Market in order to offer or showcase goods or services, or to promote an organizational mission. The Farmers Market Committee recognizes several categories of vendors, and each category, or type, has its own eligibility requirements for approval as a vendor at the Market. These vendor categories and eligibility requirements are described below. Note that these eligibility requirements are in addition to any state or county permit or licensing requirements.

B. Grower Vendor.

1. **Definition.** Grower vendor is defined as any person offering for sale articles for human consumption such as fruits, vegetables, edible grains, nuts, berries, apiary products, herbs, spices, maple syrup, cider; or non-edible articles such as cut or potted flowers, plants, and dried flowers.
2. **Location requirement.** To be eligible for selection as Grower vendor at the Farmer Market, applicants must have a home, farm, or production facility located within the five-state region of Illinois, Wisconsin, Indiana, Michigan, or Iowa.
3. **Product requirements.** All products or articles offered for consumption or sale at the Farmers Market by Grower Vendors must have been raised or prepared by the vendor, or prepared from products raised by the vendor, members of the vendor's family, or by persons employed by the vendor, or by cooperative growers.

C. Artisanal Producer Vendor.

1. **Definition.** Artisanal producer vendor is defined as any person offering for sale articles for human consumption such as baked good, juices, canned or preserved foods, dried foods, pasta, sauces or dressings, and cheese; soaps, lotions, bath-related items, candles, and wood-worked items; consumption by pets such as animal food or treats; and other similar items.



2. **Location requirement.** To be eligible for selection as an Artisanal Producer vendor at the Farmer Market, the vendor must have a production facility located within the five-state region of Illinois, Wisconsin, Indiana, Michigan, or Iowa. Preference will be given to businesses located in Park Ridge and the greater Chicago area, in order to showcase local artisans.
3. **Product requirements.** All products or articles offered for consumption or sale at the Farmers Market by Artisanal Producer vendors must have been raised or prepared by the vendor, or prepared from products raised by the vendor, members of the vendor's family, or by persons employed by the vendor, or by cooperative growers.

D. Community Tent Vendor.

1. **Purpose.** The City desires to provide limited space for resident public service organizations that conduct activities relevant to the City to promote their operations and/or mission, which the City finds will enhance the public welfare. The Farmers Market shall provide limited opportunity to such organizations that meet the requirements set forth below to participate in the Farmers Market as community tent vendors.
2. **Limit on activities.** Community tent vendors shall not sell products or services.
3. **Scheduling.** The Farmers Market Committee will honor applications for community tent vendors on a first-come, first-serve basis. Each eligible organization shall be allowed to use the community tent no more than twice per market season. The Farmers Market Committee may waive this limitation should demand for the community tent be insufficient to fill the tent each Saturday of the market season.
4. **Eligibility requirements.** To qualify as a community tent vendor an organization must meet one of the following categories:
 - a. Having a membership of which 55% or more reside within the corporate limits of the City; or
 - b. Having a charter or other official recognition by a parent, state or national organization that designates it as a Park Ridge chapter; or
 - c. Being of taxing bodies serving City residents, such as the City of Park Ridge; Maine Township; Leyden Township Norridge Township; Park Ridge Public Library; school districts D64 and D207; Park Ridge Park District; or
 - d. Being one of the following entities serving the City: Federal and State Representatives; or
 - e. Being an organization of Park Ridge businesses whose purpose is to support and encourage commerce within the City; or
 - f. Being an organization which provides services for people with special needs.

E. Business Tent Vendor.

1. **Purpose and definition.** The City desires to provide limited space for resident businesses to promote their products or services. The Farmers Market shall provide limited opportunity to such business that meet the requirements set forth below to participate in the Farmers Market as business tent vendors.
2. **Limit on activities.** Except as allowed under paragraph G.9. (branded merchandise) of these Rules, business tent vendors shall not sell or distribute food items or other products, but may distribute gift cards or sell memberships or services to be provided at a later date.

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3. **Scheduling.** The Farmers Market Committee shall schedule vendors for the business tent in accordance with the rules for community tent vendors in Paragraph D.3. above.
4. **Eligibility requirements.** Only those businesses having a business presence in Park Ridge or serving the community of Park Ridge shall be eligible for selection as a business tent vendor.

F. **Cooking Demonstrator.**

1. **Purpose.** To enhance patrons' market experience and to promote the goods of market vendors, The Farmers Market Committee may approve cooking demonstrators. Cooking demonstrators are approved on a case- by-case basis.
2. **Booth allocation.** Cooking demonstrators, per the Committee's discretion, may operate in conjunction with another approved vendor at that vendor's booth, or may be required to obtain their own booth.
3. **Eligibility requirements.** Cooking demonstrators must have a valid City of Park Ridge business license or a Park Ridge home address. If offering food for consumption to the public, cooking demonstrators must have a temporary food permit for each day they will operate.

G. **Musicians.**

1. **Purpose.** To enhance patrons' market experience, the Farmers Market Committee may approve musicians to perform at the market. Musicians' performances at the Farmers Market are also intended to showcase local talent.
2. **Space allocation and other restrictions.** The Farmers Market Committee shall determine locations for the musical performances and establish other rules for the performances, e.g. volume of music, duration of performance, as it deems appropriate.
3. **Eligibility.** There are no specific eligibility requirements for musicians. The Farmers Market Committee shall consider applicants on a case-by-case basis or invite local musicians to perform

H. **Other.**

1. **Definition.** Vendors in this "other" category are those offering handmade craft items attendant for food production or preparation or other such items not classified elsewhere in these rules.
2. **Location requirements.** To be eligible for selection as a vendor I the "Other" category at the Farmer Market, applicants must have a home, farm, or production facility located within the five-state region of Illinois, Wisconsin, Indiana, Michigan, or Iowa.

IV. **APPROVAL PROCESS FOR BOOTHS**

- A. **Application.** Applications for permission to be a vendor at the Farmers Market are available:
 1. **On the Farmers Market website**
 2. **From the Market Masters**



- B. Screening and Application.** The application process consists of two steps. First, prospective vendors must complete and submit an application form. This document is used by the Farmers Market Committee to evaluate the prospective vendors and select those for participation in the Market. If selected, vendors will be asked to complete their applications by submitting the required documents outlined in paragraph C. below.
- C. Documents Required with Application.** Applications will not be considered or approved until all documents are received. In addition to the application form the following documents must be submitted prior to participation in the Market:
- 1. Fee.** The applicable fee—based on vendor type and requested duration of permit—must be submitted with the application. Fees are payable upon approval as a vendor, but must be paid in full prior to participation in the market. Checks should be made to “City of Park Ridge.” Fees are non- refundable.
 - 2. Sales tax number.** Illinois Department of Revenue certificate listing State sales tax number, or evidence of an application for such a certificate. The certificate must list the City of Park Ridge. For vendors serving multiple locations a form ST-2 can be submitted. (This certificate is required only for vendors selling items at the market.)
 - 3. Insurance.** A certificate of insurance naming the City and the Farmers Market Committee as additional insured that will be in full force and effect during the operation of the Farmers Market in the amount of \$1,000,000 for general liability per occurrence from an insurance company licensed to do business in the State and with a minimum insurance rating acceptable to the City.
- D. Application Submission.** Vendor request forms and all application materials should be submitted to one of the Market Masters, by mail or in person.
- E. Review of Applications.** The Farmers Market Committee and/or its sub- committees will review applications. Applications will be approved based on the eligibility requirements outlined in Section III above and the selection criteria outlined in Section V. below, and applicants will be notified of the determination.
- F. Allocation of Space.** The Farmers Market Committee shall determine booth size and assign booth space for each approved vendor. Normally, space allocation and assignments remain in effect for the duration of the market season. However, the Farmers Market Committee reserves the right to alter space allocation and assignment during the season.

V. CRITERIA FOR ACCEPTANCE AS A MARKET VENDOR

- A. Vendor diversity.** The Park Ridge Farmers Market Committee endeavors to select vendors who will best support the purpose of the market as “a marketplace...for the sale of produce, processed, packaged, or prepared food...” The Farmers Market Committee recognizes that a diversity of market vendor categories as well as multiple vendors within each category can drive attendance at the market, contribute to patron satisfaction, and boost the financial viability of the Market.
- 1. Annual thresholds for each vendor category.** The Farmers Market Committee shall establish maximum thresholds for each vendor category. These thresholds shall be reviewed annually and adjusted as deemed appropriate for the upcoming season. The thresholds may be expressed as percentages of the total number of vendors, or in absolute numbers.



2. **Adjustments based on applications and consumer demand.** The Farmers Market Committee may adjust thresholds after the start of the season, if the Committee deems:
 - a. The applications for a specific category of vendor are under the established threshold, i.e. a shortage of applications; or
 - b. The applications for a specific category of vendor are substantially over the established threshold; or
 - c. Consumer demand indicates the market would benefit from an adjustment in a specific threshold.

B. Annual selection of vendors. The Committee shall review and approve applications based on:

1. **Eligibility requirements described in III above.**
2. **Established thresholds for each category.**
3. **Vendor product/service and market diversity.**

C. Additional factors for renewals. In evaluating renewal applications, the Farmers Market Committee shall also consider the following factors:

1. **Rules compliance.** To what extent did the vendor comply with market rules? How frequent were the infractions?
2. **Attendance.** To what extent did the vendor consistently attend the market?
3. **Punctuality.** Did the vendor consistently arrive at the Market in time to satisfactorily complete set-up and be ready at the opening of the Market? Did the vendor remain through the duration of the Market's hours of operation?
4. **Booth and other inspections.** Did the vendor consistently maintain the assigned booth space and booth in an orderly and cleanly manner? Did the vendor pass all applicable food inspections?
5. **Consumer complaints.** To what extent did the Market Masters or Farmers Market Committee receive complaints about the vendor?
6. **Products and services offered.** Were the products and/or services offered by the vendor consistent with information supplied by the vendor on its previous application?
7. **Change of ownership.** To what extent will any change of ownership affect the vendor's products or services?
8. **Longevity and good standing.** How many years has the vendor been participated as a vendor in good standing at the Market?

VI. VENDOR RULES

- A. **Responsibility.** Compliance with these Rules of Operation and any regulations of the City of Park Ridge, the State of Illinois, or the federal government is the responsibility of the vendor.



- B. City, State and Federal Regulations.** Non-compliance with City, State, or federal regulations is also a violation of these Rules of Operation.
- C. Taxes.** Vendors are required to collect and remit their own state and county sales taxes, as applicable.
- D. Farm Tours.** Field inspections will be performed by the Farmers Market Committee as deemed necessary to ensure that the vendor's items come from the stated point of origin and that any claims regarding those items are true.
- E. Space Allocation.** Space at the market, or "booths" are assigned by the Farmers Market Committee. Vendors shall not switch, transfer, or sublet allocated space without approval of the Farmers Market Committee.
- F. Conduct and Attire.** Market vendors are required to conduct themselves in a manner that contributes to a positive experience for market patrons. While at the Farmers Market, vendors shall:
1. **Not misrepresent his or her identity to the public;**
 2. **Not conduct any activities in a misleading or fraudulent manner;**
 3. **Not discriminate on the basis of race, creed, religion, age, color, disability, sex, or national origin in conducting activities;**
 4. **Not use obscene or profane language;**
 5. **Not smoke, vape, chew or otherwise use tobacco products;³**
 6. **Not wear inappropriate attire.**
- G. Market Day Operations**
1. **Arrival and Set-Up.** The Market opens at 7 am. All vendors are expected to arrive no later than 6:30 am and be ready to serve patrons by the opening of the Market.
 2. **Departure.** The Market closes at 1:00 pm, and early departure by a vendor can be disruptive to patrons and other vendors. Thus, all vendors must remain in their space until market closing. If vendor product is exhausted, vendors may distribute business cards or other materials on their business.
 3. **No Shows.** The Farmers Market Committee realizes that emergencies arise. Vendors shall notify the Market Masters by 6 pm on Thursday if they will not be present, or if there is a need to depart the Market early.
 4. **Scales.** Scales must be certified by the State of Illinois and have the current approved seal affixed.
 5. **Tent/Booth Weights.** Vendors must weigh down each leg of their tent or corner of their booth with a minimum of 25 lbs. Weights cannot be tethered to tables, canopies, or

³ Amended August 12, 2020



umbrellas. Staking without weights is similarly prohibited. If a cement block is used, the block must be attached to the leg and not merely placed on top of the foot of the leg. If another form of weight is used (e.g., a weight or sand bag), it must be secured low to the ground and in a manner that prevents it from swinging. The weight itself also should not pose a danger to you or the public because of location, sharp edges, uneven weight-distribution, flammability, or other such factors.

6. **Pricing.** Prices for all goods and services must be clearly indicated.
7. **Inspections.** Market Masters, Market Managers and Environmental Health Officers may make inspections at any time.
8. **Sampling.** Vendors may offer samples of their products, provided they adhere to all Health Code provisions. Samples may be offered only at the vendor's booth; vendors are not allowed to roam the market while offering or giving away samples.
9. **Branded Merchandise.** Branded items, e.g. t-shirts, shopping bags, that bare the vendor's name and/or logo may be sold or given away at the market regardless of category of vendor and regardless of origin of the branded merchandise. Branded merchandise may only be offered at the vendor's booth; vendors are not allowed to roam the market and give away branded merchandise.

VII. PROHIBITED ACTIVITIES

- A. **Prohibited Activities.** Vendors, patrons, and other visitors to the Farmers Market are prohibited from engaging in the following:
 1. Hawking.
 2. Distribution of flyers other than from an approved booth
 3. Use of amplification devices or equipment, except as permitted for authorized musicians
 4. Impeding traffic flow
 5. Carrying firearms (not applicable to on-duty law enforcement personnel)
- B. **Consequences.** Those engaging in the above activities will be asked to cease or asked to leave the Market. Police may be asked to respond to and deal with violators.

VIII. ANIMALS

- A. **Prohibited animals.** Live birds or animals are prohibited from all areas of the Market with the following exceptions:
 1. Animals used for educational, display or demonstration purposes as part of an approved vendors' activities, e.g. Park District using the community tent.
 2. Dogs are allowed within the Market, subject to the provisions of paragraph B. below.



B. Dogs. The Farmers Market Committee welcomes dogs at the Market. However, to ensure this policy continues, it is important that dog owners or others in charge of a dog adhere to the following regulations:

1. Dogs must not bark excessively or display aggressive behavior toward vendors, patrons, or other dogs. Dogs exhibiting such behavior shall be removed from the Market by their owners/controllers.
2. Dogs shall not roam free. City regulations require dogs on a leash. While at the Market, dog leashes shall not be extended beyond three feet in length.
3. Dogs must be maintained a distance of at least five feet from any booth selling food.
4. Dogs shall not defecate within the boundaries of the Farmers Market. Animals should be led to areas outside of the Farmers Market and allowed to defecate. The Municipal Code stipulates that “it shall be unlawful for any person to fail to remove the excrement left by any animal under his or her control that was deposited on any public or private property not owned or possessed by such person” [5-8-22].
5. Non-food vendors may keep dogs within their booths, subject to prior approval of the Farmers Market Committee.

C. Service Animals. Notwithstanding any of the foregoing rules, animals which have been individually trained to perform tasks for the benefit of a person with a disability are permitted to attend the Market for the purpose of performing the tasks for which they have been trained.

IX. NON-SEVERABILITY

In the event that any one or more provisions of these Rules shall, for any reason, be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision of these Rules nor any agreement between the City, the Market, and the vendor.



APPENDIX A – DUTIES OF MARKET MANAGERS

1. Hours - 5:30 am to 1:30 pm
2. Provide support to Market Master(s), Vendors and Patrons
3. Supervise set up of Market
Includes: Placing market direction and condo signs
 - Setting up “Market” tents,
 - Putting up tables and chairs
 - Trash cans distributed around market
 - Signs for special activities and Snap/Link
4. Make note of vendors that add items they did not originally have on application
5. Do hourly patron count
6. Aware of vendors that add items they did not originally have on application.
7. Knowledge of 2014 law regarding where products come from and what constitutes Cottage Foods.
8. Walk through market regularly.
9. Must help to enforce Rules of Operation and enforce where necessary in the case of non-compliance. See rules a. through c.
10. Enforce dog rules.
11. Send a weekly “Wrap Up” to all Commission Members and Market liaison.
12. Send Invoice to proper City personnel and Market Master.

