



## The Black Farmers' Market 2023 Vendor Rules and Regulations

All market members, guests vendors, and food trucks must:

- Be a Black owned business
- Have representation that is reflective of the African diaspora present at the market
- Follow pricing structure based on membership type
- Provide proof of product and general liability insurance including The Black Market NC, LLC and Black August in the Park, LLC,
- Provide their own tables and chairs to fit in allotted space at each market.
- Follow labeling and packaging requirements as required by the state of North Carolina
- Not share a tent with another brand and/or business.
- Each vendor must have a sign indicating the name and location of the business/farm. Prices must be posted for all products or individually priced. The products must also be labeled as local, produced in NC, certified organic, or produced in another state.
- Correct health department violations before setting up at a market
- Be set up and ready to sell no later than 30 minutes before the market opens. If the vendor arrives after the designated set up deadline, the vendor will not be able to participate or directors may charge a late fee and allow set up. Decisions will be made at the directors' discretion.
- Remain at the market and not pack up until the end unless there is an emergency.
- Prepare for all types of weather including cover for rain or sun and weights for winds. No refunds or discount in fees will be given in the event of inclement weather or lack of business due to the weather. Markets operate rain or shine unless there is severe weather. In case of severe weather, the directors and/or market director will contact members and guests to notify in the event of a cancellation.
- Without notifying the market manager or directors via email/text/call the day of the market will result in a fee of \$40 (includes \$25 set-up fee and \$15 late fee).
- Be responsible for collecting and reporting their own sales taxes.
- Spaces will be assigned by the market manager on the day of the market. Permanent spots are only available to vendors who have two or more spaces or are in need of physical assistance.
- Not sell items that have not been pre-approved by market directors at least 2 days prior to the market. This includes value added items such as aprons, t-shirts, holiday goods, branded apparel, etc.
- Operate within allotted space. Spaces are 10x10 unless more spaces are requested which will incur a higher daily set up fee.

- Attempt to reduce waste at the market, please limit printed materials. We encourage you to ask customers to take pictures of signage or ask them to find you social media
- Contribute to accessibility at the market by clearing a fire lane and maintain an ADA pathway.
- Follow all COVID safety guidelines as ordered by the city, state, and CDC.
- Not allow pets at the market unless they are service animals
- Pay daily set up fees using checks, Paypal, debit card, or cash prior to each market. Checks should be made out to the Black Market LLC. Payments should be mailed to PO Box 13633 Durham NC 27709 or made in person at the market.
- Member set up fees may be paid in advance for the year, on a monthly basis or on the day of the market.
- Daily set up fees must be paid prior to setting up.
- Adhere to cleaning procedures
  - Do not deposit or drain water or ice that comes into contact with meat on the market premises
  - Market members who sell meat, eggs, cheese, fresh produce, prepared foods, etc must comply with local, state, and federal laws and regulations to ensure products are safe and properly labeled for consumer consumption
  - Vendors who leave trash will be charged an additional fee that must be paid before the next market. After being charged an additional fee three times, vendors will not be allowed at the market for 1 month
- All vendors using a tent must provide their own weights or sandbags
- Tents, canopies, or umbrellas should not be set up on a windy day
- Be set up and ready to sell no later than 30 minutes before the market opens. If the vendor arrives after the designated set up deadline, the vendor will not be able to participate or directors may charge a late fee and allow set up. Decisions will be made at the directors' discretion.
- Showing up after the designated set up deadline will incur a \$15 late fee. Not paying the late fee of \$15 the day of the market will result in another fee of \$25. In order to participate in the next market, the \$40 must be paid.
- Without notifying the market manager or directors via email/text/call the day of the market will result in a fee of \$40 (includes \$25 set-up fee and \$15 late fee).
- After three “no shows” without prior notification, your membership will end without any reimbursement of fees.
- Showing up late more than three times will result in the following:
  - \*This process will start after being late for the third time
    - 1st warning: \$40 fee
    - 2nd warning: suspension for a fixed period
    - 3rd warning: terminated membership

#### Membership Structure

- Annual Membership
  - Annual Fee: \$250
    - Daily Set up: \$25 for one space \$50 for two spaces
    - Due before each market
    - Our preference to pay through money order or paypal

- A late fee of \$15 will be added to the daily set up fee if not paid before or at the market
    - All members must have representation of their business at the bi annual member meetings. Failure to show may result in loss of priority for the next market season.
    - All members and their website will be listed on the Black Farmers Market website
    - All members will be featured once throughout the season on the Black Farmers' Market social media pages (Facebook and Instagram).
    - Membership can be rescinded without reimbursement of fees due to non compliance or other reasons as determined by the directors and/or advisory board.
    - To remain a Trade Union Member in good standing, a member must attend at least 60% of all markets from the previous season, have less than 3 violations (including late arrivals), attend previous year's annual meeting, and be current with all fees.
    - All Trade Union Members are required to anonymously report total monthly sales from Black Farmers' Markets via online survey or on paper at the last market of each month for the previous month. Total sales will be used to secure funding, access market health (number of attendees), and share success of the market with potential donors. This information will not be reported individually.
    - Must complete membership application and will be emailed decision
      - Application Process:
        1. Complete online application
        2. BFM Advisory Board and directors will review
        3. Decision submitted February 10, 2023
        4. Decision emailed by BFM directors
        5. All farmers/ranchers/fishermen: schedule a tour of your facility prior to paying the membership fee by contacting [bfmcoordinator@gmail.com](mailto:bfmcoordinator@gmail.com) and [blackmarketnc@gmail.com](mailto:blackmarketnc@gmail.com)
        6. Pay annual membership fee
  - Vendor representation on BFM Advisory Board. Currently two Trade Union Members serve on the advisory board. They attend advisory board meetings and convene as needed to advise directors on market relations. Vendor representatives assist directors and staff in sharing information with Trade Union Members and can serve as points of contact for questions. After the 2022 season, another vendor may be invited to participate on the advisory board.
- Guest Vendor
  - Daily Set up: \$50 for one space (April- November)
  - Guest vendors will be accepted based on **invite ONLY**
  - Guest vendors will be notified as soon as possible of opening at a market
  - May not show up day of with a request to vend
  - Must complete an online application
  - Must abide by market rules and regulations
  - Vendors can only serve as guests up to three times
  - Acceptance as a guest vendor does NOT make the guest a member of the Black Farmers' Market Trade Union
- Food trucks and Icee vendors

- Food trucks and Icee vendors are not eligible for market membership however they are welcome to participate as invited
- Food trucks and carts utilizing ingredients from our partner Black owned farms are given priority
- Must pay a vendor fee per market \$100
- Food trucks and carts will be rotated throughout the season
- Must abide by market rules and regulations
- Community Groups
  - Not eligible for market membership
  - Must submit an interest to participate in a market to [blackmarketnc@gmail.com](mailto:blackmarketnc@gmail.com) no later than one week before the event
  - Organization mission must align with the mission of the BFM
  - Must pay a vendor fee (sliding scale)
  - Must abide by market rules and regulations
- SNAP/EBT Acceptance at BFM
  - All Prepared Food/Beverage vendors and Farmer's may accept SNAP script for qualified items
  - To participate in the SNAP Program the vendor must sign up to do so at the beginning of the market season
  - Prepared food, beverage, and farmers are the ONLY vendors allowed to participate in this program according to national and local rules and regulations
  - Market members are expected to treat all SNAP/EBT participants in a fair and equitable manner
  - As a participant in this program, you must accept the script as a form of money. Reimbursement for the program will be distributed via check at the beginning of the following Durham market
- Parking
  - All vendors must park in designated areas assigned by the market manager
  - You will be asked to move your vehicle if parked in an area designated for handicapped parking
  - Moving vehicles are not allowed in the market foot traffic space 30 minutes before the market begins and until a minimum of 15 minutes after the market ends and when there are no longer customers in the market foot traffic space or until the manager deems it safe to do so
- Product Samples
  - Samples must be kept in a covered container and toothpicks or forks must be provided to handle the samples
  - Hot sampling is not allowed

Each year, returning members must reapply and agree to updated rules and regulations.

All vendors requiring electricity for appliances and refrigeration units will be assessed a monthly fee. Fee will be decided based on the number and type of appliances being used

### **Conflict management and resolution**

The directors/co-founders of the Black Farmers' Market strive to create a space of transparency, celebration, and respect. Not just for Trade Union Members but inclusive of ourselves, staff, and

volunteers. As we work together, we may not always get that right and want to establish a system of open communication to resolve conflict and share ideas. Please review and use the following steps when times of conflict or opportunities to grow together arise. These will be added to the market rules/regulations.

**Conflict: Vendor to Vendor**

- The first step is to have a conversation with the vendor outside of market hours to share concerns or address challenges in a respectful manner.
- After the conversation, if the issue/concern persists, please notify the market manager to assist with the facilitation of a formal conversation. Directors may be invited at the discretion of the market manager. The spirit of the conversation will be conflict resolution and not punitive.
- If challenges persist, a vendor may write a letter/email to the board for assistance. The board chair and vice-chair will assist with problem-solving.
  - The board and/or directors may vote to suspend for a fixed period of time, or to expel permanently, any market member for cause. The board and/or directors must provide written notice to the market member before any such action is taken. The cause may include, but is not limited to 297 1. failure to submit to or abide by decisions made by the BOD, including 299 the Market Rules, or to accept any ruling of the Membership; 300 2. selling or offering for sale any product not grown or originally 301 produced by the market member; or 302 3. failure to pay dues in accordance with the By-Laws. 303 Annual Dues are not refunded when a market member is expelled for any

**Conflict: Vendor to Staff/Director**

- The first step (if the vendor is comfortable) is to have a conversation with the director or staff outside of market hours. If a mediator is needed, please request via email at [blackmarketnc@gmail.com](mailto:blackmarketnc@gmail.com)
- If the issue persists, the vendor should write a letter or email the advisory board chair to share concerns. The advisory board chair and/or vice-chair will have a conversation with the director or staff to determine the next steps for resolution.

**Conflict: Staff/Director to Vendor**

- Issues with a vendor will go directly to director or advisory board members
- If the issue further occurs will result in a fixed suspension or a terminated membership based on the discretion of the advisory board