



UTAH BOTANICAL CENTER FARMERS MARKET RULES & REGULATIONS

STATEMENT OF PURPOSE

The Utah Botanical Center Farmers Market strives to create an environment where everyone feels welcome. The market was developed to educate consumers about the importance of local farming and seasonal eating, and to foster community activities. The market provides an opportunity for local growers to sell fresh, nutritious foods to the community. We hope to enrich the lives of people in surrounding communities with agricultural knowledge, and support local growers, gourmet food producers and artisans.

MARKET DAY, TIME & LOCATION

The farmers market will operate at:
875 South 50 West, Kaysville.
Thursdays, from 5 pm to 8 pm/dusk.
Dates are posted at: usubotanicalcenter.org.

The market will go on regardless of weather.

WHO CAN SELL AND WHAT CAN BE SOLD

Products must be grown (farmers/gardeners in Utah or surrounding states), handmade (craft vendors), or prepared (food vendors) by you unless specifically allowed by market management.

- Honey sold at the market needs to be extracted in a facility with a cottage food permit or a commercial kitchen permit.
- Eggs sold at the market must be kept cool at 43 F or less.
- Meat sold at the market must be frozen or refrigerated.

Only you, family members and/or employees will be permitted to sell from your stall. Any vendor caught selling unapproved items is subject to immediate dismissal from the market!

Amplified sound systems are not allowed.

Local businesses are welcome to advertise their business upon pre-approval.

VENDOR SETUP

All vendors must be in place by 4:30 PM on market days! Vendors who arrive late and disturb market operations with their tardiness will be charged a \$5 late fee and may be refused participation in that day's market. Repeat offenders MAY be banned from the market.

If you have an emergency and cannot attend the market, you are required to notify the management market as soon as possible and no later than 11:00 AM on market day. In the event of

Updated 1/28/2022

a traffic delay, please contact market management as soon as it is safe to do so. The acceptance letter will provide you with the phone number to call if you have such an emergency. **No shows without notification will be charged the vendor fee for that week.**

Vendor tents and canopies must be staked and/or weighted 25 lbs per leg. It is a safety issue.

VENDOR STALLS

Individual stall size will be approximately 10 feet X 10 feet with space in back to park one vehicle.

- Please keep all signs out of the patron walkway.
- Any extra vehicles must be parked in the main parking area.
- Vendors requiring more space, whether it be selling space, prep space or parking space (for trailers, etc.), will be required to purchase extra stall(s).
- Each seller is responsible for all equipment and supplies for the setup of their booth.
- Electricity may be available for an additional fee.
- You may only sell or solicit sales of your goods in, or directly in front of, your assigned stall.

VENDOR FEES

DO NOT SEND ANY MONEY WITH THE APPLICATION!

A \$30.00 non-refundable down payment will need to be submitted upon approval for the market. This \$30 will be held to cover late and no-show fees and then will be credited towards vendor fees at the end of the season.

Fees collected will be used for operating expenses, advertising and promoting the market.

Season stall fees are due on the first day of the market No refunds on season fees. Vendors who choose to pay the season fee up front will have a dedicated reserved space for the duration of the market season.

Vendors who do not wish to pay for a full season may pay weekly and will be assigned a stall on a first come, first choice basis on the day of the market.

Crafters/Non-SNAP eligible foods/Artisans and Miscellaneous Fees:

Weekly: \$10 Season: \$100 (for a discount of \$20)

SNAP Eligible Foods/Goods:

Weekly: \$5 Season: \$50 (for a discount of \$10)

Food Trucks: \$20 weekly

For those with prior arrangements of a setup canopy or tent, there will now be a fee of \$5 per stall space per week.

Vendors whose **primary product is raw unprocessed agricultural products (primarily fruits and vegetables) will be sponsored this year. No market fee will be collected from the agricultural vendors themselves.

VENDOR TRASH

All vendors are required to clean up and carry out all garbage in their stall area away from the premises at the end of each market day. Do not use the garbage cans provided for the customers of the market.

VENDOR APPLICATIONS

All vendors are required to fill out an application for the market. The application is not a guarantee that you will have a stall. You will receive a letter or email with further instructions if you are accepted into the market.

FAIR BUSINESS PRACTICES

All sellers agree to abide by fair business practices. All terms of sale are between buyer & seller only.

FARM OR BUSINESS VISITS

Market management reserves the right to visit any farm or business location at any time to verify that you are the producer of the product you are selling.

BUSINESS LICENSES

Please follow current county and city requirements for business licenses.

SALES TAXES

All vendors, with the exception of farmers who sell only produce and/or plants grown by them, are subject to collecting sales tax from their customers and remitting the sales tax to the Utah State Tax Commission. This is accomplished through a Special Event Sales Tax Form that the market will provide. You cannot remit these taxes on your usual tax form. Sales tax collection and remittance is the sole responsibility of each individual vendor.

HEALTH AND FOOD SAFETY

All food vendors are required to comply with Davis County Health Department and/or the Utah Department of Agriculture regulations. **Food vendors preparing food or offering samples on site that are subject to Temperature Control for Safety (TCS) guidelines are required to have a Food Handler's Permit and a Temporary Food Establishment Permit from the Davis County Health Department.** If you are accepted into the market and are subject to these regulations, **you must display the permit in your booth.** Food trucks should have a permit from the Davis County Health Dept. For more information, call the Environmental Health Services Division at 801-525-5128 or go to www.daviscountyutah.gov/health/environmental.

The cottage food program of the Utah Dept. of Agriculture and Food allows for home production of certain food items for sale to the public. Cottage food items are allowed at the market. For details, go to ag.utah.gov/cottage-food-production.html.

The state of Utah "Home Consumption and Homemade Food Act" (passed 2018) <https://le.utah.gov/~2018/bills/static/HB0181.html> exempts home-based producers from certain regulations regarding food products. For farmers markets, the act requires special signage and a direct-to-sale section that is separated from the farmers market section. Vendor applications under this act will be reviewed on a case-by-case basis, but in general we will not accept applications to sell raw milk or uninspected meat. **An additional policy agreement will need to be signed to participate in the home consumption and homemade food area.**

SNAP (Supplemental Nutrition Assistance Program) ELIGIBILITY

Our market has been approved by the Utah Department of Health (UDOH) to participate in the SNAP program. Please visit the link below to determine if your product is SNAP eligible. <https://www.fns.usda.gov/snap/eligible-food-items>

SNAP eligible products can be purchased with one of two tokens. A wooden token with our market's logo. This can be used to purchase ANY SNAP eligible product. A green token can only be used to purchase fresh produce or produce growing plants and seeds. Each token is worth \$1.00 and no change can be given. Vendors will turn in these tokens each week at the end of the market and be reimbursed in cash for those tokens.

MARKET MANAGEMENT

Management of the farmers market will be provided by USU Botanical Center staff. Fees will be collected by management. There will be strict enforcement of all Market Rules & Regulations. Market Management reserves the right to deny acceptance or continued participation of any vendor or product that is not in complete compliance with all Market Rules & Regulations. Market Management has the authority to ask any vendor to remove themselves or any product not previously approved by management from the market. Market Management reserves the right to move or reassign vendor locations to enhance or facilitate the market structure and/or safety as deemed necessary.

LIABILITY

The Utah Botanical Center and Utah State University are not liable for any injury, theft or damage to either the buyer, the seller or their property, arising out of or pertaining to preparation for or participation in Utah Botanical Center Farmers Market; whether such injury, theft or damage occurred prior to, during, or after the hours of operation of the market. Seller further agrees to indemnify and hold harmless Utah State University for and against any and all claims for such injury, theft and/or damages. **Seller assumes full liability** for their vehicles, structures, fixtures and the product(s) they market or sell and by participation in the Utah Botanical Center Farmers Market hereby agree to hold Utah State University and/or their representatives harmless against any and all claims such as but not limited to injury, theft or damage by any buyer, seller or other persons resulting from or pertaining to the use, consumption, marketing tactics, display, negligence or disposition of seller's products, vehicles, fixtures, or structures.

Utah State University is an affirmative action/equal opportunity institution.



UtahStateUniversity[®]
BOTANICAL CENTER

EXTENSION 
UtahStateUniversity[®]