

# HOT SPRINGS HISTORIC DOWNTOWN FARMERS MARKET, INC.

## Policies and Procedures\*

(Updated February 19, 2024)

The purpose of these Policies and Procedures is to provide guidance based on vendor input for a well-maintained and expanding operation of the Hot Springs Farmers and Artisans Market. This benefits the community by offering the sale of locally grown produce, meats, eggs, baked goods, and artisanal handcrafted products by the vendor.

The Historic Downtown Farmers Market (HDFM), through a formal agreement with the City of Hot Springs, is responsible for the operations, management, and events at the Market. The HDFM Board of Directors serves as the governing body.

### General Policies and Procedures:

1. **OPERATIONS:** HDFM Board operates the Hot Springs Farmers & Artisans Market year-round, rain or shine.

**Main Season:** is May through October, Saturdays from 7:00 am to 12:00 pm and Tuesdays, June through August, 4:00 pm to 7:00 pm.

Vendor setup: 6:00 am to 7:00 am on Saturdays and from 3:30 pm to 4:00 pm on Tuesdays.

**Winter Market** is November through April, Saturdays from 9:00 am to 12:00 p.m.

Vendor setup is from 8:00 am to 9:00 am.

\*Vendor set-up times may be earlier at the Market Manager's discretion to accommodate vendors.

**Vendors must remain on the premises during Market hours. Assistants may not replace nor substitute for the vendor. In consideration and fairness to all, vendors are discouraged from selling prior to regular public access hours**

2. **APPLICATIONS:** All Market vendors must fill out an application once every two years prior to participating. Forms are available online at [www.hot Springs farmers market.com](http://www.hot Springs farmers market.com), under the Vendor Info tab. By signing the online application, vendors are stating they have read and agree to the Vendor Policies and Procedures of the HDFM, Arkansas Department of Health, and the Arkansas Department of Agriculture regulations. Please update your application with any change of address, phone number, email address, or business name.

3. **MARKET MANAGER:** The HDFM Board of Directors will appoint an on-site Market Manager(s) or authorized agent(s) of the Board to be present during Market hours. This person is authorized to eject, make arrangements to eject, or to prevent anyone from returning to the HDFM property who is not in compliance with these regulations, the HDFM bylaws, or otherwise acting in a manner that disrupts Market customers and vendors. The Market Manager is authorized by the HDFM Board to resolve issues and make space

assignment decisions. The HDFM Board will vote on a vendor's final exit based on the facts and merit of each case.

#### 4. **VENDOR CATEGORIES:**

**Farmer:** Farm products (produce, meat, eggs, seeds, plants) must make up a minimum of 80% of goods brought to the Market for sale. **100% of farm products and goods must be grown/made by the vendor.**

**Value Added:** 100% of homemade food products (baked goods, jams, jellies, pickles, etc.) must be made by vendor. No box mixes or kits are allowed.

**Artisan:** 100% of original art, handmade/handcrafted crafts, jewelry, and clothing must be made by the artisan vendor. No kits or multi-level marketing items are allowed.

All products sold at the market should be of the highest quality and freshness. A high quality standard preserves the integrity of the Market.

5. **FEES:** Saturdays during Main Season vendor fees are \$14.00 under the pavilion (covered) and \$12 outside of the pavilion (uncovered) Tuesday Market fees are \$7.00 for all vendors, covered or uncovered. Winter Market fees are \$5.00 for all vendors, covered or uncovered. Youth Market (ages 6-12) fees are \$2 during Main Season and free during Winter Market

6. The HDFM is a family-friendly environment. Vendors shall refrain from use of profanity or other offensive language. Products for sale, booth decorations, and vendor attire must be appropriate for family audiences. Vendors shall not shout, interrupt customers at other booths, nor in any way distract or call out to customers to draw attention to their own products.

For the Market to stay visibly attractive, vendors will set up in a reasonably uniform and family-friendly manner. HDFM reserves the right to make the final decision on what constitutes an appropriate family-friendly appearance.

7. **OVERSIZED VEHICLES:** Due to the design of the Market pavilion area, it is difficult to accommodate large and oversized vehicles. Arrangement for accommodation of larger or over-sized vehicles must be requested at a Saturday Market at least two (2) weeks prior to when that vehicle is needed for set up. Accommodating these vehicles cannot be guaranteed. If allowed, accommodation of such vehicles will be decided on a week-by-week basis.

8. **RESERVED SPACES:** Reserved spaces are available to all vendors on Saturdays during Main Season, May through October.

The reservation fee for a covered space for the entire Main Season is \$312.00 and uncovered spaces for the entire Main Season is \$260.00. Vendors wanting to reserve spaces are required to prepay to reserve their spot. If not paid in full on April 20, 2024, the first half-payment is due April 20, 2024; the second half-payment is due June 1, 2024. **Interim partial payments or payments past the deadlines will not be accepted.**

Vendors with reserved spaces for the entire Main Season from the previous year will be given priority for their previous space. However, specific reserved spaces are not guaranteed from one season to the next as the Market

continues to add farmers and other vendors. The Market Manager will make every effort to re-assign vendors to the same space or a nearby alternative.

Vendors wanting to change spaces and vendors making new reservations will be selected next.

The Board or Market Manager may need to make final adjustments to the selected spaces. When all reserved spaces are taken, vendors will be assigned a space by the Market Manager or HDFM Board member. Non-reserved weekly vendors will be admitted and the unreserved spaces will be assigned according to the following priorities: 1) farmers/growers 2) plants and fresh-cut garden flowers 3) value-added and baked goods 4) art and craft items.

**It is the responsibility of the vendor to be present and on time for the Market.** Vendors with reserved spaces must attend 21 of the 26 weeks of the Main Season, with no more than two (2) consecutive absences. Vendors who miss two (2) consecutive or three (3) non-consecutive market days during Main Season and fail to notify the Market Manager in advance of their absence, will forfeit their space for the remainder of Main Season. Vendors who are absent from a total of five (5) Markets, regardless of notification, will forfeit their space for the remainder of the season. (Allowances will be made for extenuating circumstances such as severe health issues, family births/deaths, etc.)

No refunds will be given, regardless of circumstances.

**\*Vendors with reserved spaces who do not arrive by 6:15 am and have not notified the Market Manager in advance will forfeit their spot that day. No refunds/credit given for missed days. Call and text Market Manager on the Market phone: 501-385-8176, Sunday through Friday, 7:00 am – 9:00 pm.**

**Emergency texts/phone calls only outside designated hours.**

**\*Week to week vendors (vendors without reservations) must register online via the weekly registration email and be assigned a space prior to attending the Market that week. No exceptions.**

**\*Reserved vendors are also required to register each week.**

**\*Every vendor is to register via the weekly email by 9:00 pm the Thursday prior to the Market they will be attending.** This helps to avoid unnecessary last minute Market disruptions, offers the vendor free online advertising on the Hot Springs Farmers Market website, increases vendor sales, customer base, and exposure, as well as informs the customers of which vendors will be attending and what they will be selling.

**9. FARMER'S 100% RULE:** HDFM consumers desire to purchase fresh produce, meat, and eggs directly from the producer. **100 percent of all farm products must be grown by the vendor.**

Vendors shall allow the Market Manager and or designated Board member to perform visual inspections of produce during setup on Market days to verify the absence of wholesale/commercial/peddled products. To comply with the HDFM 100% homegrown rule, Board members will conduct farm visits then report to the Board of Directors. **Any misrepresentation by the vendor will be cause for immediate dismissal and end the vendor's participation in the Hot Springs Farmers and Artisans Market.**

**10. VALUE ADDED** items (baked goods, canned honey, jellies, preserves, etc.) **MUST** have proper labeling including: all ingredients, name and address of producer and, in 10-point font, "this product is home produced."

This information must be affixed to the item for sale. Producers who do not wish to disclose personal information for safety reasons may request an identification number provided by the Arkansas Department of Agriculture to be used instead of this information.

<https://www.cognitofrms.com/ArkansasAgriculture1/applicationforfoodfreedomactbusinessidnumber2>

Foods that require temperature control (kept cold or hot) to limit toxin or microorganism formation are not permitted to be sold at HDFM unless you are operating a food truck and/or have the required Arkansas Department of Health permits.

Value added vendors are responsible for complying with all HDFM policies and procedures and Arkansas/Federal laws governing the food industry in including:

Farmers' Market Vendor Guide:

[https://www.healthy.arkansas.gov/images/uploads/pdf/FarmersMarketGuidelinesRevised\\_9-24-21.pdf](https://www.healthy.arkansas.gov/images/uploads/pdf/FarmersMarketGuidelinesRevised_9-24-21.pdf)

Homemade Food Guide:

[https://www.healthy.arkansas.gov/images/uploads/pdf/Homemade\\_Food\\_Guide\\_FINAL.pdf](https://www.healthy.arkansas.gov/images/uploads/pdf/Homemade_Food_Guide_FINAL.pdf)

Links to both publications are available online at [www.hotspringsfarmersmarket.com](http://www.hotspringsfarmersmarket.com).

**FOOD TRUCKS:** Vendors operating food trucks must have the required Arkansas Department of Health permits and certificates. Vendors must fill out a vendor application and pay a maximum weekly fee of \$50.00. A full Main Season fee is available on request. Unless otherwise determined by the Market Manager, food trucks will park along the back fence, in between the handicap parking and the Market shed, to access electricity and allow safe passage for foot traffic. A minimum 48 hour advance notice is required to secure space. **There is electricity** available, so please, **no generators**.

**11. ARTISANS: JEWELRY:** Handmade/handcrafted jewelry is made by the artist without the use of mass-manufacturing machines. It can range from simple hand-assembled pendants and bracelets to intricate designs. The jewelry artist makes each individual piece (enameled, wire wrapped, beaded, assembled, fabricated, hand-stamped, etc.) using only their hands and simple tools. Pre-assembled commercial jewelry may not be sold at the Market. Loose tumbled stones, crystals, beads, and/or commercial/wholesale charms are not permitted for sale at the Market. The vendor will be asked to remove the items by the Market Manager or a Board appointed representative. Resistance to the request or repeated attempts to sell the items will result in expulsion from the market.

**CLOTHING, CLOTH ACCESSORIES, CROCHET, KNIT, and EMBROIDERY:** The artist can purchase clothing, napkins, towels, etc. wholesale, if the item being sold has original art adorning the item (embroidery, paint, bedazzled, tie-dye, cross-stitch, etc.). Items such as potholders, hair accessories, aprons, gloves, scarves, stuffed animals, etc. must be handmade by the artist.

**WOOD, METAL, and OTHER MATERIALS:** Your product must be crafted and fashioned by your own two hands. A scroll saw, band saw, or lathe, etc. that has current running through it does not fall under the category of machine work, even though it is technically machinery.

SOAPS, CANDLES, SPRAYS, CREAMS, and TINCTURES: Handmade/handcrafted soaps, candles, incense, sprays, creams, and tinctures must be made, mixed, and bottled/wrapped by the artist. Pre-assembled and mass manufactured items cannot be bought wholesale and sold retail at the Market. Tinctures and creams must meet health department vendor requirements.

**CBD products for human consumption or topical use are not permitted.**

BOOKS, PAINTINGS, and PHOTOGRAPHY: All books, paintings, and photography must be the artist's original works or signed prints of original works.

**Any item for sale by the vendor that is produced or manufactured by anyone other than the vendor is not permitted and will be cause for immediate dismissal and end of participation in the Hot Springs Farmers and Artisans Market. (This does not apply to promotional merchandise)**

\*\*Vendors may sell limited promotional merchandise with their logo. Merchandise should have only the logo and contact information... no additional commentary, slogans, or pictures. A single sample of each type of promotional merchandise may be on display; additional stock stored under their table or elsewhere in the booth that is easily accessible for the vendor. Promotional merchandise is to occupy no more than 10% of the booth.

12. All vendors are responsible for maintaining their space in a clean and orderly manner and staying on-site. Trash, crates, boxes, and containers must be disposed of by the vendor as there is no on-site trash disposal. Vendors using food wrappers, paper cups, napkins, etc. must provide a trash bag for their customers' trash. All vendors are responsible for picking up and removing trash around their booth prior to leaving the Market. Spoiled produce must be removed by the vendor and properly disposed of off City property to help control odor, insects, rodents, etc.

**13. HDFM does not provide any set-up equipment or supplies. It is the sole responsibility of the vendor to provide any and all of the items needed to set up and operate their booth.**

Care should be taken to ensure that a clear accessible path is maintained at all times for all Market visitors. The Market Manager may ask for items to be removed or moved to preserve the safety of Market patrons. Scales should be plainly visible to customers so a customer standing outside of the booth can easily see the readings on the scales. The Market Manager has the right to check any scale that is in question and report the findings to the HDFM Board for resolution.

Tents/pop-ups must fit in the designated 10 x 10 space and not interfere with other vendors.

**Please use tents/pop ups with straight legs.** Coverings with diagonal supports are discouraged as they infringe on the neighboring vendor spaces and present a safety hazard. Vendors may not hang anything from trees, cables, etc. located on Market property, nor place signage on Market property (pavilion posts, to storage, shed, fountain, etc.). **Stakes may not be used** due to an underground sprinkler system. Vendors are encouraged to bring and use weights for their coverings, as it is frequently windy. The pop-ups catch air, tumble away and may be damaged or cause damage to others.

**Vendors must have an appropriate and non-obstructive sign with the name of their business/farm**

**displayed for the public.** Descriptive signs about produce, such as “Heirloom,” “White Icicle Radish,” “Picked Today,” or “First of the Season” are encouraged. The sign must be affixed to their booth only. Per Arkansas State and USDA requirements, regulated terms such as “Organic” or “Naturally Grown” are not permitted without official authorized documentation.

Produce should be displayed so the consumer can see the entire product and decide which fruits, vegetables, etc. they would like to purchase individually.

Any unapproved items must be removed immediately upon request by the management. **A new application will be required for items not listed on the original application and must be approved before vendor can sell those items.**

14. **NO SAMPLES:** Vendors may not distribute samples and are not permitted to travel up and down the aisles with their products. This is a Health Department and HDFM rule.

15. **PRICING:** Vendors will set their prices and **clearly mark them for customers to see.** Price fixing is not permitted. Wholesale or multi-level marketing has no place at the Hot Springs Farmers Market.

16. **UNDERAGE CHILDREN** must be directly supervised by an adult. The adult responsible for the child cannot leave the property without the child.

17. **LOST ITEMS:** HDFM and the City of Hot Springs are not responsible for items left by vendors or patrons.

18. **SMOKING POLICY: The Farmers Market is a smoke free area including pipes, vaping, cigars and cigarettes.** Designated smoking areas are the parking lots to the north and south of the pavilion.

19. **WIC:** The Women Infant & Children Farmers Market Nutrition Program (WIC FMNP) applications are available to farmers interested in participating in the program. Farmers are responsible for obtaining information, forms, and coupon books from the USDA WIC program. Farmers may not accept FMNP coupons without the appropriate stamp and vendor number assigned by the WIC FMNP program.

20. **SNAP:** Supplemental Nutrition Assistance Program (SNAP) is available through the HDFM’s SNAP at the Market program for any vendor selling eligible food products (breads, cereals, fruits, vegetables, meats, fish, poultry, food-producing seeds and plants). SNAP is available during Main Season, May-October.

21. **DOUBLE-UP FOOD BUCKS** program is available during Main Season through HDFM’s SNAP at the Market Program and is funded by the Arkansas Coalition for Obesity Prevention (availability based on Coalition funding). Any vendor selling fruits and vegetables is eligible after completing the required paperwork.

22. **PET POLICY:** Well-behaved, leashed pets are welcome at the Market. The HDFM is located on City property and is a public space to be used and enjoyed by everyone. Vendors and patrons who wish to bring their pets must use extreme caution and keep them on a short leash so the Market can operate in a people-friendly manner. Pets with a history of aggression or that are aggressive/perceived as aggressive on site are not permitted; nor are wild, exotic, or non-domestic animals. Vendors and patrons who bring their pets are solely responsible for cleaning up after them and disposing of their waste in an appropriate manner off City property. Pets and their owners may be asked to leave as the Market Manager deems appropriate to ensure the enjoyment and safety of all. Vendors may be asked not to bring pets if the pet is disruptive or demonstrates inappropriate

behavior. Vendors must keep pets with them at all times. **Inappropriate pet behavior includes, but not limited to, excessive barking, jumping on people or vendor property, digging, etc.**

23. **BIDDING:** Special events which require the purchase of vendor products will take place under an open bid policy. Final decisions will be made by the HDFM Board of Directors with cost effectiveness as the primary consideration.

24. **TAXES:** Vendors are solely responsible for collecting and remitting all taxes.

25. **LEGAL:** All vendors are responsible for reviewing and complying with the Policies and Procedures of the HDFM and the laws governing the food industry in Arkansas including:

Farmers' Market Vendor Guide – Healthy Arkansas

[https://www.healthy.arkansas.gov/images/uploads/pdf/FarmersMarketGuidelinesRevised\\_9-24-21.pdf](https://www.healthy.arkansas.gov/images/uploads/pdf/FarmersMarketGuidelinesRevised_9-24-21.pdf)

Homemade Food Guide

[https://www.healthy.arkansas.gov/images/uploads/pdf/Homemade\\_Food\\_Guide\\_FINAL.pdf](https://www.healthy.arkansas.gov/images/uploads/pdf/Homemade_Food_Guide_FINAL.pdf)

Links to both publications are available online under the Vendor Info tab: [www.hotspringsfarmersmarket.com](http://www.hotspringsfarmersmarket.com).

26. **GRIEVANCE POLICY:** The HDFM has a grievance policy and procedure to mitigate conflict resolution between vendors.

1. Express concerns/issues with the Market Manager for resolution.
2. If resolution was not reached; email a request for Grievance Form from the head of Grievance Committee at [hsfarmersmarket@gmail.com](mailto:hsfarmersmarket@gmail.com).
3. Complete and submit within one (1) week. Type "Grievance" in the subject line of email.
4. Grievance will go to the HDFM Board for a final decision.
5. Complainant will be notified of the final decision by email.

27. **YOUTH VENDOR SPACES:** Youth vendor spaces are available any Saturday year-round for ages 6-12. Adult supervision is required. Youth vendor spaces may not be shared with other adult vendors (anyone ages 13 and up). Youth vendors may sell at an adult vendor space. All items sold by a participating youth vendor must be 100% home grown, homemade, or hand-crafted by the youth vendor. Youth vendor fees are \$2.00 during Main Season and free during Winter Market. Participants need to complete a Vendor Application online at [www.hotspringsfarmersmarket.com](http://www.hotspringsfarmersmarket.com).

28. **COMMUNITY TABLE:** There are two community spaces available to local non-profit organizations (that are non-political, non-religious) free of charge. Applications are available online at

[www.hotspringsfarmersmarket.com](http://www.hotspringsfarmersmarket.com), Vendor Info tab – please designate non-profit on the application

Complete the application "Community Information Table Request" on the HDFM website. Community tables are designated for the purpose of providing information and/or free resources that will benefit the community.

29. Flyers, fundraising, donations, pamphlet distribution, recruitment, or solicitation of any sort at any time, as well as pet adoptions are not permitted on-site by vendors or customers.

**30. Any item for sale by the vendor that is grown, produced or manufactured by anyone other than the vendor is not permitted and such misrepresentation will be cause for immediate dismissal and end of participation in the Hot Springs Farmers and Artisans Market. (This does not apply to limited promotional merchandise).**

**The Historic Downtown Farmers Market is a place of good cheer, community, and trust between vendors and customers and is reflected in its positive reputation and returning customers and vendors.**

**Any vendor who contributes to, engages in, or promotes a sense of ill-will, distrust, or rumor mongering with other vendors or customers of the Market undermines the positive experience of the HDFM.**

**Vendors who are found to violate this rule will be dismissed and not permitted to sell at the Market.**

**\*These Policies and Procedures are subject to change.**