Asheville City Market Rules and Regulations

Governance and Operational Management

Appalachian Sustainable Agriculture Project

The Asheville City Market is a community initiative of A.S.A.P. and is governed by its Board and By-Laws.

Asheville City Market Oversight Committee

The ACM Oversight Committee, comprised of vendor and community representatives, is charged with management oversight for the Market. Decisions require a simple majority vote. Changes to the Rules and Regulations require a two-thirds majority. All votes require a quorum of not less than 75% of Committee members.

The Committee includes not more than two vendors and four non-vendors nominated by the Market Manager, and approved by the Committee, and not more than seven vendor representatives elected by the Market membership. Committee members serve for two year terms, but may not serve for more than four consecutive years.

Vendor representative elections

- Only members may vote for or serve as vendor representatives.
- A mail-in election of Oversight Committee vendor representatives will be held by January 31 of each year to replace members whose terms have ended and to fill any vacancies.
- Market Members who have indicated a willingness to serve on their vendor application, or who have submitted a written notice of interest to the Market Manager, will be contacted to confirm an annual listing of "candidates" on the election ballot.
- Elected vendor representatives shall include five farm vendors, one value added/prepared food vendor, and one art/craft vendor.
- Vendor representative vacancies that occur during the year will be filled by the Oversight Committee pending the annual election.

Special provision – first year
First year elections will be held prior to the beginning of the market. Three of the elected vendor representatives will serve one-year terms and four will serve two-year terms. Three of the Manager-nominated Committee members will serve one-year terms and three will serve two-year terms.

The responsibilities of the Oversight Committee include:

1. Set targets for vendor category mix
2. Appoint a Vendor Sub-committee (three OC members) to review Market Manager decisions regarding vendor applications
3. Evaluate site use management and provide guidance to the Market Manager
4. Conduct random annual farm and production site visits or as needed
5. Receive, review and resolve formal complaints
6. Review annual budget and quarterly financial reports
7. Oversee the Market Manager

Market Manager

The Market Manager is an employee of Appalachian Sustainable Agriculture Project. A.S.A.P. retains employer responsibility for the Market Manager position. Operationally, the Market Manager is responsive to the direction of the Oversight Committee.

The responsibilities of the Market Manager include:

1. Recruit vendors
2. Receive and review vendor applications
3. Approve/reject vendor applications with review by the Vendor Sub-committee
4. Complete farm and production site checklists for new vendors
5. Maintain site use plan including assignment of vendor spaces
6. Promote effective communication within the Market community
7. Oversee daily operations and resolve operational issues
8. Enforce Market rules and regulations
9. Receive formal grievances and forward recommendations to the Oversight Committee
10. Collect fees
11. Establish budgets, maintain financial records, and issue reports
12. Implement advertising, promotion, and marketing plans

Membership, Vendor Categories, and Fees

Applications for membership or day vendor status are submitted to the Market Manager for review and evaluation. Art / craft vendors must complete a supplemental application process.

Membership provides:

- Space available on reserved market dates
- Participation in election of vendor representative
- Eligibility to serve on the Oversight Committee

Day vendor status provides:

- Space allotted for available dates at the discretion of the Market Manager

All member vendors pay an annual $100 membership fee that is non-refundable. The membership fee for a new member is due on the Vendor Agreement submission date (and pro rated from that date). The fee for renewing members is due by January 31st of each year.

Vendor categories and fees:

• Farm	$ **20** / wk.
• Value added / Prepared foods	$ **20** / wk.
• Art / craft	$ **25** / wk.
• Day vendors	$ **35** / wk.
Electrical access (limited availability)	$ **5** / wk.

Vendor and Product Policies

Vendor Eligibility and Restrictions

Asheville City Market's policy is to give preference to vendors using the following criteria:

- Local residency and production within **60** miles of ACM
- Products and foods produced, prepared, or processed locally
- Prepared foods made with locally produced ingredients or featuring local farm products

The following restrictions apply to all ACM vendors:

- ACM is a producer-only market - vendors must be the producer of items being sold or their listed representative (e.g. family member, employee or intern involved in production, or farm coop partner).
- Vendors may only sell products listed on their Vendor Agreement. Requests to list a new product must be submitted in writing at least one week prior to sale and are approved at the discretion of the Market Manager.
- Local vendors may sell products that can not be produced locally (e.g. seafood) if these products are produced by a family member.

Market Operations

Market schedule

Saturdays, 8:00am to 1:00pm, beginning the third Saturday in April and ending the Saturday before Christmas

Site Use Plan

The purpose of the site use plan is to ensure a positive experience for customers and a successful market for vendors.

1. Vendors
   - Reserved dates do not entitle a vendor to a reserved location (vendor locations for both members and day vendors are assigned by the Market Manager each week)
   - Member vendors will, in most cases, be assigned the same location week-to-week
   - Weekly modifications to the site use plan, including vendor placement, are made at the discretion of the Market Manager
2. Promotion, Entertainment, and Education (including cooking demos, music, healing arts, non-profits)
3. Amenities and Parking

Note: Dogs are not allowed at the Market

Vending requirements

- Clearly displayed prices
- Arrival by 7:30am (members) and complete space set-up by market opening (all vendors)
- Clean-up and close space by one hour after market close
- Vendors may not set up after the market opens nor close before the market ends

- Notification of absences must be provided to the Market Manager at least a week in advance. To remain in good standing vendors may not be absent for more than 20% of their reserved dates.

Liability and Legalities

- Liability Insurance and Hold Harmless Provisions
- License, Permit, Certification, and Inspection Requirements

Liability Insurance and Hold Harmless Provisions

A.S.A.P. holds general liability insurance covering the Asheville City Market. A Hold Harmless clause is included as part of the Vendor Agreement. Note: Individual vendor insurance with A.S.A.P. listed as an additional insured will be required for the 2009 Market. Additional details will be provided during the 2009 application process.

License, Permit, Certification, and Inspection Requirements

The Market Manager will complete a farm or production site checklist as a condition for vendor approval. Vendors are required to comply with all applicable Federal, state and local laws and will provide the Market Manager with valid and current documentation of required licenses, permits, or certifications.

Examples of applicable documentation as required include:

North Carolina Department of Agriculture (NCDA) kitchen inspection (processed foods including baked goods, jams, vinegars, juices, coffee, etc.)

NCDA Division of Meat and Poultry - meat handler's license

FDA Short Course Certification for acidified foods (e.g. pickles relishes, etc.)

USDA Organic Certification (for use of "certified organic" description in all cases and for use of "organic" description by farms with more than $5000 in annual organic sales)

City of Asheville Privilege License

Sales Tax ID Number

Materials regarding regulations, guidelines, practices, and procedures will be provided to vendors as a part of an ongoing informational and educational effort.