

NEWTON FARMERS' MARKET
246 Dudley Road, Newton, MA 02459

Market Manager Nancy Scammon- Office 617-796-1506 - Cell 617-212-5289 nscammon@newtonma.gov
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RULES AND REGULATIONS 2024

I. Location and Dates

- Location: Tuesday Market Cold Spring Parks, 1094 Beacon Street, Newton, 02461
- Location: Saturday Market Newton North High School-352 Lowell Ave, Newton, 02460

I. Day(s) of Operation

- a) Tuesdays: June 18th- Oct 15th
- b) Saturdays: June 22nd – Oct 19th

II. Hours of Operation

- a) 1:30pm - 6:00pm - Tuesdays
- b) 9:30 am- 12:30 pm - Saturday

III. Membership

- a) All vendors must submit an application annually to the “City of Newton” in order to be considered for participation. Selling space will be granted with first consideration given to product variety and space limitations. Vendors who have participated in the previous year are given first consideration.
- b) It is recommended all farmers and vendors join the Massachusetts Farmers’ Markets organization. Go to <http://www.massfarmersmarkets.org/>

IV. Management

- a) The Market Manager is the official manager at the market, having full authority to enforce all Market Rules and Regulations. If problems arise, the Market Manager will settle all disputes, and, in the interest of promptness, decisions on any questions shall be final.
- b) The market shall have a market advisory committee consisting of three (3) vendors who regularly participate, nominated by vendors, who will provide non-binding recommendations to the market manager. In the event more than three are nominated the market manager will select three.

V. Set up/Display

- a) If a vendor is unable to attend on any given week, he or she should call the market manager at the Newton Parks and Recreation Department office (617) 796-1506 or the manager’s cell phone (617) 212-5289 before that market day. This will enable the Market Manager to plan the vendor spaces accordingly.
- b) Each vendor shall be responsible for setting up, displaying and packaging his/her products as well as providing protection for the produce from the elements. **ALL CANOPIES AND/OR UMBRELLAS MUST BE NO BIGGER THAN 10’x10’ PER SPACE AND MUST BE WEIGHTED DOWN** before vendors are allowed to sell.
- c) **Vendors should arrive at the market 45-60 minutes before opening and should be ready to sell 5 minutes before opening.**
- d) No goods are to be sold before the market officially opens or after it officially closes. This will be strictly enforced.

- e) Each vendor will be given 1 hour after closing to pack up everything. **Each vendor must leave his or her assigned space in broom clean condition.** No foodstuff, rubbish, or personal belongings of any sort shall remain after the market is closed.
- f) Each vendor's display of produce must be kept near enough to the assigned space to allow other vendors to get in or out, or the farmer must be willing to move his/her display to allow for this. No vendor will be allowed to leave early except by permission of the Market Manger provided public safety can be maintained.
- g) The establishment of assigned spots for vendors who come weekly will be adhered to as much as possible, and the cooperation of all vendors will be expected on this matter.

VI. Products

- a) The Newton Farmers' Market is a 100% Farmer Grown/Produced Market.
- b) Processed foods may be sold. The vendor is responsible for complying with all requirements and licenses set by the City, State of Massachusetts, and USDA. Evidence of compliance with these requirements and permit information must be shown to and recorded by Market Manager.
- c) All products must be clearly price labeled in accordance with the Office of Attorney General consumer Protection Division- Failure to Disclose Price Regulation.
- d) All products should be of top or grade "A" quality, any seconds, or canners may be offered but must be labeled as such. The Market Manager has the right to ban any inferior products from the sales area.

VII. Public Regulation

- a) Produce may be sold by the bunch, piece, container, or weight.
- b) Vendors planning to use a scale should have it sealed by an official city or state Sealer of Weights and Measures. Household scales are not permitted.
- c) No solicitors, collection drives or manufactured products are permitted in the market area without the approval of the Market Manager.
- d) Prices will be fair market value, negotiated by the farmer and the customer. The City of Newton, the Market Advisory Committee, nor the Sponsors, are responsible for the arrangements made between any farmer and any customer. No warranty of any sort, expressed or implied, is to be made by the Farmers' Market Committee, or the Sponsors. Cooperation will be expected from all farmers in regard to pricing in order to avoid undercutting or dumping of produce.
- e) Each vendor is responsible for his/her own compliance with any applicable local, state or federal laws. Vendors selling taxable items are responsible for posting and collecting any sales tax. Any required licenses or permits should be kept on file with the Market Manager.

VIII. Insurance

- a) The Newton Farmers' Market carries liability Insurance which protects the market and the City. However, it does not protect individual vendors. All vendors are required to maintain a commercial general liability policy. Policy limit must be a minimum of \$1 million per occurrence with a \$2 million aggregate limit.
- b) All vendors must carry their own General Liability Coverage Policy. The "City of Newton" 1000 Commonwealth Ave. Newton, MA 02459 should also be listed "as additional insured". A certificate of insurance must be submitted with the vendor's application.

- c) Any accident or injury must be immediately reported to the market manager.

IX. Rules and Enforcement

- a) These rules are intended to be in the best interests of the Farmers' Market, its vendors and customers. The Market Manager may, at any time, modify or add to these rules, to better serve these interests. The Market Manager is responsible for enforcing all rules and may remove any vendor from market for violation of its rules.
- b) Any violation of these rules shall subject the violator to denial of future participation at the market without reimbursement.

X. Fees

- a) The market is 18 weeks long and we offer one free week for those who sign up for the whole season. Each market offers 2 schedules for fees/registrations: 8 weeks or 16 weeks. Fees are based on 10x10 weighted canopy, which is considered a single space. If more than one space is required contact the manager for approval and fee structure.
- b) Please note the fee difference for farmers and vendors. Farmers are \$45 per week and vendors are \$35**
- c) Farmer space for 17 weeks is \$765.00 per 10X10 space or \$360.00 for 8 weeks per 10x10 space.
Vendor space for 17 weeks is \$595.00 per 10x10 space or \$280.00 for 8 weeks per 10x10 space.
- d) Guest vendors are welcome to join our market per approval of site availability and product.
- e) We do not offer refunds. Please make checks payable to the City of Newton and mail to Newton Parks and Recreation, 246 Dudley Road, Newton, MA 02469.

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