



# Rules and Regulations

(Revised and Adopted: January 30th, 2024)

Featuring produce and products from these five counties:  
La Plata CO, Montezuma CO, Archuleta CO, San Juan CO, and San Juan NM.

## Summer Market at TBK Parking Lot

2nd Saturday in May to Last Weekend in October

Hours for May thru September: 8am-12pm

Hours in October: 9am-12pm

## Harvest Market at TBD

November TBD

Hours: 9am-12pm

## Holiday Market at TBD

December TBD

Hours: 9am-2pm

# MISSION STATEMENT

*"It is the mission of the Durango Farmers Market to strengthen community ties to agriculture by providing a venue for regional agricultural producers to sell their products, by preserving open space, by promoting healthy farming practices and by providing educational benefits through hands-on experience. The Durango Farmers Market seeks to improve the quality of life for all community members." -Adopted in 1997*

## TABLE OF CONTENTS

	<u>Page</u>
◆ Overview	2
1. Vendor Types, Applications, Requirements	3-7
a. Agricultural Producers	3-5
b. Non-Agricultural Vendors	6-7
2. Products: Definitions/Requirements	8-10
3. Fees	11
4. Insurance	12
5. Business Licenses	12
6. Health Regulations	12
7. Vendor Booth Set-Up	13
8. Location/Events	14
9. Penalties	14
10. Booth Space Cleanliness	14
11. Vendor Information Card	15
12. SNAP, DUFEB, And Other Food Assistance Programs	15
13. Durango Farmers Market Bucks	15
14. Reimbursement FAP Coupons And DFM Bucks	16
15. Community Sponsorship Program	16
16. Informational Booths	16
17. Consumer Comments And Concerns	17
18. Vendor Comments And Concerns	17-18
19. Vendor Suspension And Disciplinary Action	18-19
❖ Addendum to the Rules and Regulations	19

# WELCOME TO THE DURANGO FARMERS MARKET

The Market Manager of the Durango Farmers Market (DFM), with the full support of the Board of Directors (BOD), shall enforce these Rules and Regulations. The BOD will interpret these regulations according to what is in the best interest of the market.

## OVERVIEW

DFM's priority is to provide a venue for Agricultural Producers to sell what they've grown, raised, or wild harvested within the five counties of our region. To ensure DFM continues to primarily function as a market supporting local agriculture, the Market Manager will assign booth space to Non-Agricultural vendors in a way that balances the vendors types, while emphasizing Agricultural Producers.

All applications will be reviewed annually by the Board of Directors for acceptance or denial to the market. Approved applicants will become members of the market on the date of acceptance. Membership terminates when one of the following occurs:

- The member notifies the Market Manager or BOD that they are withdrawing from the market or the member does not submit an application for the following year.
- The member application, in any year following acceptance, is not approved by the BOD.
- Suspension of membership as per Section 2.3 of the Durango Farmers Market By-Laws.

In addition to following the Rules and Regulations, all vendors must agree to abide by all city, county, state, and federal laws and regulations, as well as the By-Laws of the Durango Farmers Market.

The BOD, with the assistance of the Market Manager, will evaluate all vendors in the fall and inform them of their status for the following year: good standing or questionable standing.

- a. A member in **good standing** is a vendor who:
  - i. Demonstrates good attendance, a professional attitude, and adherence to selling locally produced products.
  - ii. Submits payment of booth fees and other applicable fees on time.
  - iii. Abides by the DFM By-Laws, Rules and Regulations, as well as DFM policies and procedures.
- b. A member in **questionable standing** is a vendor who:
  - i. Does not demonstrate one or more of the attributes noted in a. above.
  - ii. Has not resolved issues, per Sections 18 or 19, with the BOD by the end of the market season.

Please note: These rules and regulations may be revised or amended by the Board of Directors from time to time and these changes will be communicated to the current members and/or will be linked to the application process.

# 1. VENDOR TYPES, APPLICATIONS, REQUIREMENTS

## 1a. AGRICULTURAL PRODUCER

- i. All Agricultural Producers must submit an application annually.
- ii. All agricultural products, herein defined as **local**, must be **grown, owned and raised, or wild harvested** by the agricultural producer (no reselling or brokering) within the five following counties: **La Plata CO, Montezuma CO, Archuleta CO, San Juan CO, and San Juan NM.**
- iii. For a vendor to be considered an Agricultural Producer, 2/3 or more of the products they sell (by value) must meet the requirements for Agricultural Products (see Sec. 2). This ratio will be used in the application approval process and, in addition, the vendor must maintain the 2/3 percentage of agricultural products throughout the season as well as on any given market day. If the market management staff or another vendor wishes to challenge a vendor's Agricultural Producer status on the basis of this rule, the Market Manager may request sales information from the challenged vendor.
  1. If an Agricultural Producer sells (or plans to sell) non-Agricultural products in excess of 1/3 of their total sales, that vendor must also apply for, get approval for, and pay for the additional applicable vendor type. Alternatively, the vendor may completely switch to another vendor type.
  2. Agricultural Producers may sell any product type listed in Section 2 that is included in their application on the Manage My Market website and approved by the BOD.
  3. If an Agricultural Producer plans to sell a product that does not meet the requirements for a Value Added Agricultural Product (VAAP) in Section 2.c. and could be mistaken for a VAAP, then the vendor must clearly indicate, at their booth and in their application, that the agricultural component (e.g., cucumbers in pickles, strawberries in jam) is not from their farm or another farm within the five counties in 1.a.ii..
- iv. Agricultural Producers are responsible to obtain, for the products they will sell, the appropriate inspections by the applicable licensing authorities and must have approved certifications, permits, and/or licenses as part of their application. If these documents are not available when the application is submitted, the documents must be uploaded to Manage My Market two weeks prior to their first market attendance day. See Sections 4, 5, and 6 for other documentation requirements.
- v. Attendants at the booth must include the farmer or an on-farm assistant.

vi. **Requirements of Hemp/CBD Producers/Products-** Agricultural Producers selling hemp and/or products containing cannabidiol (CBD) are referred to as hemp vendors hereafter.

1. All hemp vendors must adhere to Colorado State regulations. A current and immediate prior year Colorado Department of Agriculture Industrial Hemp License, plus the compliance letter or signed petition of compliance that relates to the material to be sold is required for cultivators selling raw hemp products or extracted hemp products. These licenses must be displayed in a visible location at the vendor's booth at the market.
2. Hemp vendors are responsible to obtain, for the products they will sell, the appropriate inspections by applicable licensing authorities and must have approved certifications, permits and/or licenses as part of their application.
3. Hemp vendors may use an extraction facility outside the five counties listed in Section 1.a.ii. to extract CBD from the hemp they have grown.
4. A State of Colorado manufactured food license is required for any products containing hemp and/or products that contain CBD to be sold for consumption (such as edibles or tinctures). Any non-food items must comply with applicable federal and state requirements, for example, requirements for cosmetics.
5. CBD used in food or other products must be obtained from a grower in the five counties listed in Section 1.a.ii.
6. No live hemp plants or seeds for germinating may be sold at the market. However, hemp grains for processing or consumption may be sold.
7. Signage and advertising of hemp products and products containing CBD are subject to review and approval by the Market Manager or the BOD.
8. Hemp vendors must verify their customers are 18 years of age or older before the vendor sells hemp or products containing hemp or CBD.

vii. **Requirements for Chile Roasters**

1. Up to two Agricultural Producers who roast chiles are allowed each market season.
2. All chiles roasted and sold must be grown by the Agricultural Producer within the five counties listed in Section 1.a.ii.
  - a. In the event of a natural disaster (e.g., crop loss, hail storm) resulting in no approved Agricultural Producer being able to sell roasted chiles at the market, the BOD will determine if an exception to the Section 1.a.ii rule be allowed. Substantiating documentation or inspection may be required by the BOD.
3. In the DFM application, the applicant must indicate that they plan to roast chiles by including roasted chiles in the product listing. Roasted chiles are to be listed separately from any other products (raw chiles included) that the Agricultural Producer plans to sell as an agricultural product. The availability dates for roasted chiles will be the dates the Agricultural Producer anticipates having roasted chiles to sell at market.
4. Any applications, including chile roasting, submitted after the submittal deadline will not have chile roasting approved unless a previously approved vendor is not able to offer chile roasting and has notified the Market Manager of their change in offering.
5. Agricultural Producers roasting chiles will pay the additional fee for the booth space needed for the chile roasting equipment safety buffer. See Section 3 for information on Fees, and the Addendum to the Rules and Regulations for additional space and safety requirements.
6. The Market Manager will develop a chile roaster placement plan that includes consideration of the following:
  - a. Agricultural Producers selling agricultural products, in addition to the seasonal roasted chiles, will not have to be moved during the market season to accommodate the roasting equipment and safety buffer requirements.
  - b. The Market Manager will determine placement of chile roasters so as to minimize impact to other Agricultural Producers or other full season vendors.

## **1b. NON-AGRICULTURAL VENDORS**

- i. All Non-Agricultural vendors must submit an application annually. Applications will be evaluated on the following: previous year's standing and the vendor's use of local ingredients, products, or components. Participation in previous markets does not guarantee acceptance. Approved applicants will be accepted when space at the market is available. The evaluation process will include an assessment of how locally the ingredients, products, or components are sourced; Rated below, "a" being highest and "c" being lowest.
  - a. Items procured from DFM Agricultural Producers (e.g., fruits, vegetables, meats, flowers)
  - b. Items procured from producers or locally owned businesses in the five counties listed in Section 1.a.ii. (e.g., milled flour, dried beans, farm and ranch commodities, craft and art materials, animal fibers).
  - c. Commodities or products procured from commercial suppliers, retail chains and/or producers outside the five counties listed in Section 1.a.ii.
- ii. Non-Agricultural vendors may sell any product type listed in Section 2, if approved by the BOD in the evaluation process.
- iii. Non-Agricultural vendors are responsible to obtain, for the products they will sell, the appropriate inspections by the applicable licensing authorities and must have approved certifications, permits, and/or licenses as part of their application. If these documents are not available when the application is submitted, the documents must be uploaded to Manage My Market two weeks prior to their first market attendance day. See Sections 4, 5, and 6 for other documentation requirements.

### **iv. TYPES OF NON-AGRICULTURAL VENDORS**

#### **1. READY TO EAT FOOD AND BEVERAGE (REFB)**

- a. REFB may provide either of the following:
  - i. Packaged Food and/or Beverage: Food and/or beverages prepared by the vendor in a licensed facility or that meet the definition and requirements of the Colorado Cottage Foods Act.
  - ii. Prepared Food and/or Beverages: Food prepared at DFM for consumption on the premises or elsewhere. Preparation facilities at DFM must meet all regulatory and licensing requirements.
- b. REFB vendors are required to list all local ingredients used in their products on their application. Primary ingredients should come from local sources preferably using as many ingredients (e.g. vegetables, fruits, meats, cheeses, honey) as

possible which are produced by the Agricultural Producers who participate in the Durango Farmers Market. Products with primary ingredients that cannot be produced locally (e.g. bananas, oranges, lemons, nuts, avocados) will be accepted when space is available and will be rated lower in the application evaluation process compared to vendors using local ingredients. Also, see Section 2.ii.1

- c. REFB vendors are required to display **A LIST OF ALL LOCAL INGREDIENTS WITH THEIR SOURCE** used at each market. (e.g., Carrots from Hungry Rabbit Farm)
- d. REFB vendor applicants will be evaluated on their commitment to attend the market all season. It is expected that REFB vendors will attend at least 18 markets per season to remain in good standing.

## **2. ARTISAN**

- a. Applications will be evaluated with preference given to handmade, high-quality goods that are relevant to the DFM mission to support local agriculture and healthy living, and to those using sustainable and/or organic materials whenever possible. Examples of artisan products include, but are not limited to: soap, body products, art, jewelry, pottery, and furniture. See Section 2.D for more info.
- b. The Market Manager will schedule Artisan vendors to achieve a balance between all vendor types. An Artisan vendor schedule will be provided.
  - i. If the market has extra vendor space available (for example, early, or later markets when some Agricultural products choose not to attend) extra spaces may be offered to Artisan Vendors at the Market Manager's discretion.

## **3. SERVICE**

- a. Applications will be evaluated based on their alignment with the DFM values of supporting local agriculture, healthy living, sustainability, and relationship to food. Examples include, but are not limited to, massage, acupuncture, chiropractic, knife sharpening.
  - b. Service vendor applicants will be evaluated on their commitment to attend the market all season. It is expected that Service vendors will attend at least 18 markets per season to remain in good standing.
- v. Applicants providing any combination of REFB products, Artisan products, or Services shall apply under the type that represents the highest percentage of anticipated sales. Applicants must include all products or services offered in the application.



## 2. PRODUCTS: DEFINITIONS/REQUIREMENTS

### a. **AGRICULTURAL PRODUCTS** (grown, owned and raised, or wild harvested):

- i. Food in its raw or natural state; shell eggs, fruits, vegetables, and mushrooms in their whole, unpeeled or unprocessed form.
- ii. Processed and packaged meat from animals the Agricultural Producer **OWNED and RAISED themselves**, and that are slaughtered in a USDA FSIS inspected facility. Meat and poultry producers must comply with the following requirements:
  1. Poultry: All poultry must be in the possession of and cared for directly by the vendor for a minimum of six weeks.
  2. Beef, Elk, Bison: All animals must be in the possession of and cared for directly by the vendor for a minimum of nine months.
  3. Lamb and Goat: All animals must be in the possession of and cared for directly by the vendor for a minimum of six months.
  4. Pork: Pigs must be in the possession of and cared for directly by the vendor for a minimum of four months.
  5. Upon request by the BOD, meat vendors are required to provide documentation that demonstrates how long the animals have been in their possession.
  6. If not processed by the vendor in an approved facility, due to the limited supply of processors of meat and poultry in the region, vendors may have their animals processed at a USDA FSIS inspected facility outside the five counties defined in Section 1.a.ii.
- iii. Fibers from plants or animals grown by, owned and raised by, or wild harvested, by the Agricultural Producer.
- iv. Flowers: potted, cut, or dried.
- v. Plants: transplants, potted plants, bedding plants, house plants, ornamental plants, cuttings.
- vi. Honey or other products derived from beekeeping operations.

- b. **READY TO EAT FOOD AND BEVERAGE (REFB) PRODUCTS:** Prepared food designed for ease of consumption, that require minimal preparation (typically just heating), and that can be sold as ready-to-eat dishes; as room-temperature, shelf stable products; or as refrigerated or frozen products.
- c. **VALUE-ADDED AGRICULTURAL PRODUCTS (VAAP):** are raw agricultural products that have been modified or enhanced to have a higher market value and/or a longer shelf life, while still abiding by the definitions and requirements outlined in Section 1a and 2a. This means that produce used in value-added agricultural products must be verifiably sourced from within the five counties and meat/poultry can only be value-added by the vendor who owned and raised the animals according to Section 2.a.ii.
  - i. Some examples include: fruits made into jams, meats made into jerky, tomatoes and peppers made into salsa, dried fruits, vegetables, herbs, or mushrooms, and crafting dried flowers into a wreath.
  - ii. Raw agricultural commodities that are altered from the whole fruit or vegetable state by slicing, dicing, cutting, chopping, cooking, mixing, grinding, smoking, drying, packaging, canning, or other procedures that alter the food from its original state are subject to Colorado Department of Public Health and Environment requirements and/or the Colorado Cottage Foods Act.
- d. **ARTISAN PRODUCTS:** Products that are produced by artisans, either completely by hand or with the help of hand-tools or even mechanical means, as long as the direct manual contribution of the artisan remains the most substantial component of the finished product. Some examples include: jewelry, paintings, pottery, woodwork, photography, body care products, and clothing.
- e. For REFB and VAAP, with the exception of foods produced under the Colorado Cottage Foods Act, all processed foods sold at DFM must be manufactured in an approved facility which has been inspected by the health department for Good Manufacturing Practices.
- f. No co-packing/co-manufacturing of food is allowed.
- g. **ALCOHOLIC BEVERAGES:** No more than six vendors selling locally produced alcoholic beverages may be at market on any given day without the approval of the BOD. Alcoholic beverage sampling and closed container product sales must be in compliance with city, county, and state requirements.
- h. All vendors must follow current federal, state, county, and city regulations in regard to the food, products, merchandise, or services they offer at DFM.

- i. Agricultural Producers may sell REFB or VAAP and not be subject to the Section 1.a.iii. rule for non-agricultural products as long as the majority of the ingredients, either by weight or volume in those products are grown, raised, or wild harvested by the vendor. Note: exception to the majority ingredient requirement is where the essential ingredient of the product is less than 50%, e.g. strawberries in strawberry jelly are less than 50% because of the high sugar content or rosemary infused vinegar where the rosemary is the essential ingredient but the vinegar is the larger volume.
- j. Agricultural Producers may sell Artisan products and not be subjected to the Section 1.a.iii. rule for non-agricultural products, so long as the majority of the components, either by weight or volume, in those products are wild harvested or grown from the Agricultural Producers land, e.g., a carved decoration made from a tree grown on the land of the Agricultural Producer.
- k. All vendors may sell and display promotional items including, but not limited to, t-shirts, tote bags, caps, so long as the name or logo of the vendor is permanently affixed to each item.
- l. Re-selling or brokering of any Agricultural, Artisan, or REFB product is **NOT** permitted. Exception, if approved by the BOD, for chile roasting in Section 1.a.vii.2.a.
- m. Non-Agricultural products must be produced in the five counties listed in Section 1.a.ii. by entities that are located in these same five counties.
- n. All vendors are subject to inspection by the BOD or a designated representative specific to their product.
- o. **APPROVED PRODUCTS:** Only those products listed in the vendor's application will be allowed for sale. Vendors wishing to sell a new product must notify the DFM Market Manager two weeks in advance of the proposed sale.
- p. **SELLING PLANTS:** Agricultural Producers or Non-Agricultural vendors selling plants must grow transplants, bedding plants, and potted plants from seed, plug, cutting, bulb, or bare-root. No resale of pre-finished plants is allowed. Transplanted plants must be grown to the point where the roots fill the pot (roots hold the soil when the pot is removed). Transplants, plant plugs, ornamental plants, houseplants, and any other plant must be in the growers possession for a minimum of thirty days. Nursery businesses that have retail store fronts will not be allowed at DFM. Exempt from the retail store front restriction are those growers who have farm stands on their own farm or land used for production.

### 3. FEES

- a. **VENDOR BOOTH SPACES:** Vendors pay for each market attended based on the size of their booth. 1st and 2nd year Agricultural Producers pay the equivalent of nine markets for a full summer season, while established vendors pay the equivalent of eleven markets. The seasonal markets in November and December are paid for separately.
  - i. **10-foot wide by 10-foot deep** vendor booth space is \$440.00 (or \$360.00 for 1st and 2nd year Agricultural Producers) per regular summer season or \$40.00 per market until paid in full.
  - ii. **15-foot wide by 10-foot deep** vendor booth space shall be \$660.00 (or \$540.00 for 1st and 2nd year Agricultural Producers) per regular summer season or \$60.00 per market until paid in full.
  - iii. **20-foot wide by 10-foot deep** vendor booth space shall be \$880.00 (or \$720.00 for 1st and 2nd year Agricultural Producers) per regular summer season or \$80.00 per market until paid in full.
- b. Booth Fee Payments may be made in full for the season or incrementally at each market attended.
  - i. **FULL PAYMENT** can be made via Manage my Market or by payment direct to the Market Manager. See Manage My Market tool for information on options.
  - ii. **INCREMENTAL PAYMENTS** may be paid on market day with cash, check or DFM Bucks to the Market Manager or staff at the DFM Info Booth no later than 11:00 am on the market day. Arrangement can be made through the Market Manager for incremental payments through Manage My Market.
- c. Booth spaces are non-transferable and are assigned only by the Market Manager. The Market Manager will do their best in not moving vendors too often; vendors are expected to be respectful and understanding if they are moved.
- d. Vendor fees for the Harvest and Holiday Markets are assessed after the regular summer season and carry their own separate fees.
- e. There's a \$25.00 non-refundable application fee required with all submitted applications.
- f. There's a \$25.00 non-refundable late fee for all applications received after the application due date.
- g. Any vendor whose payment is returned for insufficient funds will be responsible for compensating DFM for the full amount of the payment plus a \$25 fee.

## **4. INSURANCE**

- a. DFM requires every vendor to carry their own general liability insurance and requires each vendor to name “Durango Farmers Market” as an “Additional Insured.”
- b. Liability for products rests solely with the vendor producing and selling them. DFM strongly suggests that each vendor has their own product insurance.
- c. All proof of insurance documents must be uploaded to Manage My Market two weeks prior to the first market attendance day.

## **5. BUSINESS LICENSES**

- a. All vendors must upload a copy of their current Durango City Business License to Manage My Market two weeks prior to their first market attendance day.
- b. All vendors must display in full public view, at their booth, their current Durango City Business License.
- c. All vendors are responsible for the collection, reporting and payment of all appropriate taxes to the City of Durango, County of La Plata, and State of Colorado.
- d. All vendors are responsible to obtain the necessary licenses, certifications, and permits required for the sale of their product(s).

## **6. HEALTH REGULATIONS**

- a. All vendors must follow the county where their products are produced, La Plata County and the State of Colorado’s current Health Code Regulations. It is the responsibility of the vendor to ensure compliance.
- b. REFB and VAAP food product vendors are responsible for the appropriate inspections by the applicable licensing authorities and must have the approved certification, permits, and licenses on display at their booth. These documents must be included as part of their application and uploaded to Manage My Market two weeks prior to their first market attendance day.
- c. Smoking by any vendor will not be permitted at the Market.

## 7. VENDOR BOOTH SET-UP

- a. All vendor booths must have a tent, canopy, or umbrella with the exception of food trucks.
- b. All vendors must use 40 lb weights attached at each corner of their tent or canopy; or a 40 lb weight at the base of an umbrella. After a one-time warning, repeated non-compliance with the weight requirement will result in the vendor not being allowed to attend the market. The vendor must get permission from the Market Manager to return after getting the required amount of weights.
- c. Saturday set-up must be completed no later than 8:00 am and 9:00 am in October. Vendor vehicles must be gone from the Market area by 7:40 am and 8:40 am in October.
- d. Vendors are to unload, park, and then return to set-up, allowing other vendors to access driving lanes.
- e. The Saturday market will open at 8:00 am, and 9:00 am in October. The Market Manager will ring the opening bell. No sales to the public are allowed before this time.
- f. Saturday market will close at 12:00 pm. Vendors are not to break down booths prior to 12:00 pm and must not drive vehicles back in before 12:15 pm.
- g. Vendor booth placement will be decided by the Market Manager with direction of the Board of Directors, if needed. Multiple factors will be taken into account when assigning booth placement including, but not limited to: specific vendor needs such as access to electricity, water, or other place-specific resources, shade, previous season placement, and safety.
- h. If two approved vendors would like to share a booth space in order to split the booth fee, both vendors must be present at all markets where their products are for sale. This placement is at the discretion of the Market Manager.

## **8. LOCATION/EVENTS**

- a. The Saturday market will be held in the TBK Bank parking lot, located on the south side of the building and across the street from the post office. The physical address is 259 West 9th Street, Durango
- b. Seasonal (November and December) market locations and dates will be announced.
- c. DFM reserves the right to allow special events and festivals with other agricultural or locally made products on designated occasions.

## **9. PENALTIES**

- a. Vendors will be assessed a fine in the amount of \$25.00 for failure to remove their vehicle from the Market area by 7:40 am on Saturday (8:40 am in October),-as well as for bringing their vehicle back into the market area before 12:15 pm.
- b. Vendors will be assessed a late fee in the amount of \$25.00 for failure to set-up by 8:00 am on Saturday (9:00 am in October).
- c. Vendors are required to notify the Market Manager if they will not be attending the Saturday market. Notification must be made no later than 5:00 pm on the Wednesday before the market to be missed. Failure to notify before this time will result in a charge equal to the value of the unoccupied booth space(s) at the discretion of the Market Manager.

## **10. BOOTH SPACE CLEANLINESS**

- a. Vendors are responsible for bringing trash receptacles to hold all of the possible trash that could be generated from their booth and disposing of it themselves.
- b. Vendors are responsible for the upkeep of the market area located near or in their booth area. Upon leaving the site, the vendor's booth area must be as clean, or cleaner, than the vendor found it at the beginning of the day.
- c. Before leaving for the day, the vendor's booth area must have all trash, food or product scraps/debris, or other waste generated by their market activities picked up for disposal.

## 11. VENDOR INFORMATION CARD (VIC)

- a. All vendors must submit the required information for their Vendor Information Card (VIC) with their complete application.
- b. All vendors are required to display their DFM issued VIC on the front of their booth every market day and for the duration of the market season.
- c. VICs will be provided at the beginning of the market season. A vendor's first VIC will be provided free of charge by DFM. Thereafter, during the market season, any updates, changes, or replacements will cost \$10.

## 12. SNAP, DUFEB, & OTHER FOOD ASSISTANCE PROGRAMS

- a. DFM participates in food assistance programs implemented through federal, state, or local agencies or entities, such as:
  - Colorado Farmers Market Association Supplemental Nutrition Assistance Program (SNAP)
  - LiveWell Colorado's program
  - Double Up Food Bucks (DUFEB)
  - Supplemental Nutrition Program for Women, Infants, & Children (WIC)
  - Fresh to Flourish
- b. Hereafter, these programs are referred to as Food Assistance Programs (FAP). These programs may use coupons, vouchers, or similar forms for payment.
- c. Vendors who sell FAP eligible items must participate in the program through DFM and be willing to accept the FAP coupons presented by the customer.
- d. Vendors must comply with the specific program rules. For example, not giving change for SNAP or DUFEB coupons that come in one dollar increments. Documents relative to compliance with the program will be provided to the vendor by the Market Manager.

## 13. DURANGO FARMERS MARKET BUCKS

- a. DFM Bucks are a certificate used to purchase items from **ANY** vendor at the market. The DFM Buck is designed to help promote market awareness, market attendance, and market promotion. Vendors are encouraged to accept DFM Bucks but are not required to accept them.
- b. All DFM Bucks are to be treated as cash received from the customer with change given accordingly.



## **14. REIMBURSEMENT OF FAP COUPONS AND DFM BUCKS**

- a. All FAP coupons and DFM Bucks received by the vendor can be turned in weekly or monthly. They must be turned in no later than 11:00 am on market day to the Market Manger or Market Staff at the DFM info booth.
- b. Reimbursement to the vendor for FAP coupons and DFM Bucks
  - i. Vendors may choose to receive payment by check or through ACH.  
*(An ACH transfer is the electronic movement of money between banks through the Automated Clearing House network. The authorization form for ACH is available on Manage My Market.)*

Note: The DFM Bookkeeper will process payments in a timely fashion with a goal of two weeks. ACH payments can be processed quicker, while check payments are slower-- vendors are encouraged to fill out and submit the ACH authorization after acceptance to the market.

- c. All DFM Bucks and FAP coupons must be submitted for reimbursement within the current market year.

## **15. COMMUNITY SPONSORSHIP PROGRAM**

- a. The Durango Farmers Market Board of Directors shall adopt, amend, and direct a Community Sponsorship Program to assist in raising funds for the market as well as to further promote the market in our community. A set of guidelines for the administration of the program will be approved by the Board of Directors and kept on file with the Secretary and Market Manager.

## **16. INFORMATIONAL BOOTHS**

- a. The Informational Booth Program will be carried out by the Market Manger with guidance from the Board of Directors.
- b. There will be no application fee for an Informational Booth.
- c. This program is intended for community groups, local non-profits, government entities, or private businesses that promote DFM values of healthy living, sustainability, local food, or community involvement. Examples include, but are not limited to: local radio stations, CSU Master Gardener program, Durango city programs, Cooking Matters.
- d. No for-profit sales are allowed from Informational Booths. They are intended for the distribution of information and fundraising only.

## 17. CUSTOMER COMMENTS AND CONCERNS

- a. All consumers with comments or concerns pertinent to market operations or with a vendor should be directed to contact the Market Manager either in-person, via phone call, or email. The Market Manager is encouraged to pass along positive comments to the BOD or vendor, if applicable. If the Market Manager cannot resolve the concern, or if the Market Manager determines the concern needs the attention and/or action of the BOD, then the Market Manager should inform the BOD by email so that the BOD may review the issue at the next BOD meeting and take any needed actions. If, as a result of the customer comment, a vendor needs to take a specific action or otherwise address the issue, this must be communicated to the vendor in writing or via email.

## 18. VENDOR CONCERNS

- a. All suggestions, complaints, and concerns about market operations are first to be brought to the attention of the Market Manager. This can be verbally or via email.
- b. If the vendor's suggestion, complaint, or concern isn't resolved sufficiently, in the vendor's opinion, it can be submitted to the BOD either via email or in writing and must include the vendor's name, address, telephone number and email for consideration by the BOD. If appropriate, in the BOD's opinion, the submitting vendor's name may be disclosed to the Market Manager or other vendors if necessary for the investigation or resolution of the suggestion, complaint, or concern.
- c. If the issue involves a product sold by a vendor that may not be in compliance with DFM Rules and Regulations, the vendor can obtain a Product Challenge form from the Market Manager, complete the requested information and return it to the Market Manager or a BOD member directly, via email, or via USPS mail. If the challenge involves a legal non-compliance issue as opposed to a DFM Rules and Regulations non-compliance, the vendor submitting the complaint must have already brought this issue to the appropriate city, county, or state agency for their action and must submit evidence of such. If there is still a DFM compliance issue after the agency investigation/findings, then the vendor may submit the Product Challenge form.
- d. For b. and c. above:
  - i. A \$75 service fee, cash or check, must be included with the request before an investigation will be initiated by the BOD. If appropriate, in the BOD's opinion, the submitting vendor's name may be disclosed to the Market Manager or other vendors, if necessary, for the investigation or resolution of the complaint. Under the discretion of the BOD, if the basis of the complaint is found to be valid, this \$75 service fee will be refunded.

- ii. Suggestions, complaints, and/or a Product Challenge will be considered by the BOD at the next scheduled BOD meeting and an action plan for investigation will be developed. BOD findings, resolution, or feedback to the vendor with suggestions, complaints, or a Product Challenge shall be provided in writing or via email to the submitting vendor.
- iii. If the vendor's concern still isn't resolved sufficiently, in the vendor's opinion, a professional facilitator or mediator may be engaged to help resolve the issue. The vendor must agree to pay 50% of the expense of this effort before the resolution work can begin.
- iv. Vendors, The Market Manager, and BOD must agree to complete the entire process before disclosing sensitive information to other vendors or affected parties not involved in the investigation or to the public. Failure to comply with this paragraph may result in disciplinary action.

## **19. VENDOR SUSPENSION AND DISCIPLINARY ACTION**

- a. Any vendor may be suspended from selling by action of the Market Manager and/or the Board of Directors for failure to comply with the Rules and Regulations or By-Laws of the Durango Farmers Market. **NONETHELESS, THERE MAY BE CIRCUMSTANCES NOT ADDRESSED IN THE RULES AND REGULATIONS NOR THE BY-LAWS AND THEREFORE, THE BOD RESERVES THE RIGHT TO REVOKE MEMBERSHIP FOR ANY EXCEPTIONAL REASON.**
- b. DFM vendors are expected to behave in a professional and courteous manner at all times. Maligning and derogatory language directed at other vendors and/or their products will not be tolerated. If a vendor has a concern with another vendor, they should immediately contact the Market Manager. If the Market Manager is not available, the vendor should then contact a member of the BOD.
  - i. Any vendor who challenges the authority of any DFM staff member, BOD member, or regulatory inspector, or who behaves in a rude, violent, threatening, or intimidating manner toward any person at the market may be immediately expelled for the day by the Market Manager.
  - ii. Any vendor who uses social media in a non-professional, maligning or derogatory manner may also be asked to leave the market for the day or may not attend markets after the social media post is shared with the Market Manager or the BOD.

- iii. For i. and ii. above, the offending vendor may be asked to not attend any further markets until the issue has been resolved in the opinion of the Market Manager. The Market Manager may request the BOD to intervene and address the issue.
- iv. The issue is to be documented and communicated via email or USPS mail to all affected parties, the Market Manager, and the BOD if they have been asked to intervene.

## ❖ **ADDENDUM TO THE RULES AND REGULATIONS**

### **CHILE ROASTING**

This addendum is supplemental information for Agricultural Producers who apply to roast chiles at the market. Chile roaster placement is subject to the requirements set forth by the Durango Fire Marshal and should be reviewed annually with the fire department by the Market Manager before a placement plan is made.

For example, below are requirements from the fire department from a discussion in late 2022:

- The roasting equipment must be 10 feet from any combustibles, such as, but not limited to, a wood chip filled planter, landscaped area, or a tent/canopy.
- The public may not come within 3 feet of the flames of the roaster.
- The Agricultural Producer must take their roasting set up to the Durango Fire Marshal for approval prior to first use at the market to ensure the safety of the equipment that will be used at the market. It is recommended to make an appointment for such inspection. The vendor must obtain some form of written verification that the equipment was inspected and approved by the Durango Fire Marshal, or the Marshal's designated representative. This verification must be provided to the Market Manager before first use at DFM.