



Nederland

FARMERS MARKET

2023 RULES AND REGULATIONS

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NEDERLAND FARMERS MARKET GOALS

- Increase access to fresh, locally produced, nourishing and safe foods for all people.
- Encourage, support, and promote the entrepreneurial efforts of local farmers, growers, cottage food producers, and artisans who are seeking to sell produce/products directly to the customer.
- Create an opportunity for people to meet, eat, and share stories, recipes, and knowledge in a place dedicated to the cultivation of local food, products, and talents.
- Support Town of Nederland's Zero Waste Standards.

2023 LOCATION & TIMES

Selling Season: Bi-weekly on Sundays starting in May and ending in October.

****Expanded Markets: Party in the Peaks July 23rd & Harvest Festival Oct 1**

May 14th	July 9th	September 3rd
May 28th	July 23rd**	September 17th
June 11th	August 6th	October 1st**
June 25th	August 20th	

Location: 80 E 2nd Street, Nederland, Colorado 80466

Hours of Operation: 10:00AM -2:00PM

****Hours of Operation for expanded markets:** 10:00AM - 3:00PM

CANCELLATIONS

Vendors are required to notify the market manager 72 hours in advance of a market cancellation. No-Show, No-call Vendors or Vendors canceling within 72 hours prior to market, will not receive a refund for booth fees and will be charged a \$35 fee, to be paid in full before participation in the next Market Event. This fee will be collected via Venmo. Exceptions to this fee can be made at the

discretion of Market staff and will depend on the circumstances of each individual case.

The Market is required to notify vendors within 24 hours of a market cancellation due to special circumstances (emergency situations, severe weather, etc.).

VENDOR ELIGIBILITY

Participation in The Market is open to farmers, growers, cottage food producers (hereafter, "Food Vendors"), and artisans (hereafter, "Artisanal Vendors") in Nederland, CO and surrounding communities. The market manager and selection committee aim to create a balance of 50% Food Vendors and 50% Artisanal Vendors when possible.

Preference is given first to Nederland Vendors, and then extends out to the surrounding mountain and Boulder metro areas.

- ALL VENDORS must be the producer. A producer is defined as the person who grows or makes the product, and may also include the producer's immediate family, partners, and/or employees.
- ALL VENDORS must be in full compliance with applicable laws and are responsible for such compliance.
- ALL PRODUCTS must be made by the Vendor. Preference will be given to products made from local and/or natural materials.

No re-sales by vendors are permitted*, but cooperative sales will be allowed.

Cooperative sales are those in which a producer/vendor sells products in conjunction with (or occasionally on behalf of) another producer/vendor. In any cooperative selling arrangement, each partner producer must submit their own Market application (satisfying The Market's requirements), just as any other vendor, identifying which seller will be at the Market. Please make sure to check the box on the application marked 'Cooperative Booth' and write in the name of the partner applicant. Each Vendor may sell at only one booth, and each booth may have a maximum of two vendors per event. All cooperative booths must consist of the same type of vendor, ie: both Food vendors, or both Artisanal vendors. This helps us ensure the correct count of Vendors.

Please note this is a Zero-Waste event. Only Recycling Waste Bins and Composting Waste Bins will be made available. Please plan accordingly.

*The Nederland Farmers Market will operate a table, to profit for the Market as a whole, at which they may resell locally produced products that are not in conflict/competition with other Market vendors.

MARKET FEES AND VENDOR TYPES

FULL SEASON NFM MEMBER VENDOR FEE:	\$385	(Due no later than May 1, 2023)
FULL SEASON NFM SPONSOR MEMBER FEE:	\$785	(Due no later than May 1, 2023)
DROP-IN VENDOR DAILY FEE:	\$45	(Due 1 week before first drop-in market event)
APPLICATION FEE	\$35	(Paid upon submission of application)

PLEASE NOTE: ALL FEES ARE NON-REFUNDABLE

The 2023 season will host 11 Markets, including two larger special events: Party in the Peaks (July 23rd) & Harvest Fest (October 1).

NFM Membership and Non-Member Daily fee payments can be made through Venmo (@NederlandFarmersMarket). We will not accept cash payments.

VENDOR TYPES

NFM Member Vendor: Member Vendors are welcomed and encouraged to participate in all 11 markets of the season. The Member Vendor option is designed for Vendors who would like to attend 10+ markets.

- \$385 annual membership fee (at \$35 daily for 11 markets), pre-paid prior to first market
- 5% of gross market sales fee, paid at the end of each market
- Single 10x10 booth space
- Additional space fee for Member Vendors is an additional fee of \$25 per market, per 10'x10' area, and must be requested at least one week in advance. Approval will be given

depending on space available and at the discretion of the Market Manager.

- Member Vendors listed/promoted on the website, social media, and other marketing materials

(*NEW) NFM Sponsor Vendor: Sponsor Vendors are full season Member Vendors who pay an increased membership fee, and by doing so: 1) increase their support for the existence and management of the NFM, and 2) receive additional sponsorship benefits from the Market.

- \$785 Sponsor Vendor fee includes annual membership at all 11 markets
- Sponsor Vendors receive all benefits, and will need to satisfy all requirements, of regular NFM Member Vendors (see items above)
- The Sponsor portion of the fee (\$400) gives access to NFM's Bronze Fennel Sponsorship package at a reduced rate (normally \$550)
- Will receive the benefits of NFM's Bronze Fennel Sponsorship package.
 - Exclusive posting on social media (Facebook and Instagram) and Website presentation as official NFM sponsor
 - Sponsor Logo included on print advertisements
 - Inclusion of Sponsor Logo on footer of NFM email account communications

Drop-In Vendor: Drop-in Vendors are welcomed to the Market when space is available. The Drop-in Vendor option is designed for Vendors who would like to attend less than 10 markets.

- Application submitted at least one week prior to the first drop-in market.
- \$45 daily Drop-in Vendor fee, pre-paid on the Wednesday prior to market attendance
- 5% of gross market sales fee, paid at the end of each market
- Additional space fee for Drop-in Vendors is \$25 per 10'x10' area, per market, must be requested at least one week in advance. Approval will be given depending on space available and at the discretion of the Market Manager.

Info-Vendor: Info Vendors are welcomed to the market and are given two options to participate. Vendors may choose to attend as a Drop-in Info Vendor or Member Info Vendor. Info Vendors are not permitted to sell any products.

- Drop-in Info Vendor

- \$45 daily drop-in info vendor fee
- Member Info Vendor
 - \$385 annual membership fee (11 markets), pre-paid prior to first market

Non-Profit: If Non-Profit Vendors want to sell any products for fundraising purposes, the Board of Directors must approve the products being sold in writing prior to market.

- All fees are waived for Non-Profit Vendors
- One 10'x10' Booth space may be shared by two NPO's upon Board approval

PRODUCT ELIGIBILITY

ALL PRODUCTION SITES ARE SUBJECT TO SITE INSPECTION to verify compliance with market rules/regulations.

Vegetables, Fruits, Nuts, and Herbs

Produce must be fresh and locally grown, preferably by organic and/or sustainable principles. Over-ripe vegetables and fruits must be labeled and marked.

Baked/Processed Foods

Products should highlight local produce whenever possible, seasonal ingredients, and be freshly prepared by the vendor.

Ready-to-Eat Products (including samples)

Products should highlight local produce whenever possible, seasonal ingredients, and be freshly prepared by the vendor. All food and beverages for immediate consumption at the Market, including items offered as a "sample," must comply with applicable Health Regulations.

Potted Plants and Cut Plant Material

Products must not be on town, county, state, or federal lists of invasive plants; or of rare and endangered plants.

Value-Added Products and Artisanal Products

Candles, soaps, creams, lotions, massage oils, insect repellents, and scrubs must be made by the vendor from a majority of locally grown and produced ingredients.

Dried flower or herb bouquets, decorative berries, fruit, pods, cones, pumpkins, and wreaths produced should be from materials grown or gathered locally.

It is the aim of the Market to meet the expectations of the customers with the appropriate mix of products suitable for the Market. This is determined by the Nederland Farmers Market Board.

APPLICATION PROCESS

**FULL SEASON APPLICATION DUE MAY 1st,
SINGLE EVENT APPLICATIONS DUE ONE WEEK
PRIOR TO THE WEEK YOU WISH TO SELL.**

All Vendors must annually submit a market application to the Market Manager and pay the \$35 application fee prior to approval and vending at the Market. Applications may be modified or updated during the season and re-submitted at no additional cost. Single-Event, Info, and Non-Profit Vendors will be accepted and chosen to participate depending on the current selection of Vendors, and at the discretion of the Market Manager. Single-Event Vendors must notify the Market Manager at least one week before the market event of their intent to attend that particular Market.

Vendors will be notified by the Market Manager when their application is approved or denied, and the Board may reach out to Vendors with questions about their display and/or products. Upon approval, Vendors must submit ALL necessary permits and proof of insurance to the Market Manager (Liability Insurance, Food Safety, Health Department Approval, etc.) Please note that a Town of Nederland Business License is NOT necessary to vend at the Market.

Included within the Market application is a "hold harmless" agreement that the Vendor must sign. This agreement means the Vendor will hold Nederland Farmers Market and its representatives harmless concerning product liability or other factors that relate specifically to the Vendor's business practice.

BOOTH ASSIGNMENT

The Market Manager, assisted by the Nederland Farmers Market Board, will make vendor booth assignments in a fair and equitable manner based on the needs of the Market, NFM membership & seniority, previous attendance, sales volume, and term of commitment. A vendor booth space is defined as a designated area approximately 10ft x 10ft.

DISPLAY REQUIREMENTS

The Market is a Zero-Waste event. Vendors must not produce any non-recyclable or non-compostable waste at the event. Vendors' *products* also may not create any non-recyclable or non-compostable waste at the event.

Vendors will clearly display prices of all items and post their business name and location. Vendors must have visibly displayed any licenses, certifications, and permits required by law for all products. Please note that laws vary for different products, and Vendors are responsible for adhering to applicable laws.

Tables, tents, canopies, pop-ups, umbrellas, signs, and display items must be in good condition, without any logo or mark other than the Vendor's. Tents, canopies, pop-ups, umbrellas, signs, etc, must be secured tightly at all times. We receive high winds in Nederland (8,200ft elevation) and require tents, canopies, etc to be secured with stakes and at least 25 lbs of weight per leg (though we recommend 50lbs if possible) - sandbags, water buckets, and tent weights are typical options. Please contact us if you have questions about your tent and/or weights.

HEALTH, SANITATION, & SAFETY

Each vendor must abide by all state and federal regulations which govern the production, harvest, preparation, preservation, labeling or safety of products offered for sale at the market. Vendors are liable for their own products. When applicable, appropriate state / USDA inspection certificates must be made available at the Vendor's booth site. At no time shall the safety or convenience of customers or vendors' be compromised by any vendor's display. Anyone who participates in the Market (whether vendor, customer, or otherwise) attends at his/her own risk. Vendors will operate at their own risk and assume liability from the customers.

REMINDERS FOR MARKET DAY

- Any accident or injury must be immediately reported to the Market Manager and 911. Any unsafe or unsanitary conditions should be brought to the immediate attention of the Market Manager.
- The Market is a Zero-Waste Event, all vendors will be responsible for the collection and removal of all refuse generated from their participation/sales at their booth space.
- Small children brought to the Market by vendors must be kept under the supervision of a designated adult.
- Dogs on-leash are allowed at the Market Site, so they will be allowed during Market hours. Report off-leash dogs or misbehaving dogs to the Market Manager.
- The use of tobacco products, alcohol, or illegal substances is not permitted at the Market.
- Behavior by Vendors or customers judged to be disruptive or detrimental to the peaceful operation of the Market will not be allowed.
- No live animals or fowl may be brought to/sold at the Market without specific approval of a majority vote of The Market Board.
- Neither Nederland Farmers' Market nor its representatives are responsible for damage or loss of any personal belongings.

VENDOR CHECK-IN AND EVENT BREAKDOWN

Vendors may begin to set up at 8:00AM and are required to be completed by Market opening at 10:00AM, with vehicles off the market site at that time. Vendor parking is located at TEENS, inc. Vendors are required to stay until the Market closes at 2:00PM, at which time they must stop

selling. Vendors must leave their spaces clean and remove their display/vehicle no later than 3:30PM. (4:30PM for festival markets).

GROSS MARKET SALES FEE AND SALES TAX

All Vendors are required to submit a Gross Market Sales Fee, 5% of gross market sales for the day, due at the end of each Market Day*. For bookkeeping purposes, beginning in 2023, all sales fees will be collected via Venmo (no cash please). Gross Market Sales Fees are calculated and recorded on the Vendor Sales and Fee Slip submitted at the end of the Market Day (see sample slip in the next section below for an example).

*These fees help to cover the operating costs and related expenses to assure the viability and quality of the Market.

Independent Filing of Sales Tax

All Vendors are responsible for the collection and filing of their sales tax for each Market Day. This amount typically equals 4.25% to 9.435% of their sales, depending on type of vending (see below). In order to independently file sales tax, each Vendor must apply for a special event sales tax license through the State: <https://tax.colorado.gov/special-event-sales-tax>. The Town of Nederland does not collect sales tax directly from businesses or Vendors. Everyone pays through the State.

Vendors will still have to submit their Tax ID number to NFM for accounting purposes. Please contact The Market Manager or Board if you have concerns or questions.

Produce Vendors

Produce-only Vendors do not have to pay State and County sales tax, but do have to pay Town of Nederland Sales Tax (4.25%) submitted through the State.

Foods for Home Consumption/Cottage Foods

Vendors who provide products for home consumption do not have to pay State and County sales tax, but do have to pay Town of Nederland Sales Tax (4.25%) submitted through the State.

Ready-to-Eat Food Vendors and Artisans

Vendors selling ready-to-eat food to consume onsite at the market, as well as Artisan Vendors (non-food items) must submit 9.435% sales tax combined for County, State, and Town of Nederland. Submissions can be made through the State.

*These fees cover the operating costs and related expenses to assure the viability and quality of the Market.

SAMPLE FUND COLLECTION SHEET

NEDERLAND FARMERS MARKET 

VENDOR SALES AND FEE SLIP

(ALL PAYMENTS THROUGH VENMO)

Date: 5/14/23

Your farm name
Vendor/Business Name

1. Gross Sales: \$ 789.00
Total of all market sales (no costs removed)

2. 5% fee owed to market:
Gross Sales x 0.05 = \$ 39.45

3. Total Market currencies collected:

Market Bucks: \$ 5.00
+
SNAP: \$ 10.00
+
DUFB: \$ 0
Subtotal: \$ 15.00

5% FEE (#2 above): \$ 39.45

Minus

Market Currencies (#3 above): \$ 15.00

Equals

4. Balance Due: \$ 24.45

Return market currencies with this slip,
and pay Balance Due via Venmo:
@NederlandFarmersMarket

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP)



The Market accepts SNAP benefits at the Community Information Booth. Customers receive NFM SNAP Bucks to be used for eligible items. At the beginning of each market, new Vendors are required to attend an informational meeting on Market Day regarding eligible products. These products generally include anything labeled with “Nutritional Facts.” Vendors should accept SNAP bucks at their booth towards customer purchases, record and deduct the amounts sold on the Vendor Sales and Fees Slip, and return the bucks at the end of the Market Day. Please make sure to double check the SNAP bucks are not for Boulder County Farmers Market and say “NFM.”

DOUBLE UP FOOD BUCKS (DUFB)



The Market accepts Double Up Food Bucks, provided by LiveWell Colorado, at the Community Information Booth. Customers who are eligible to receive SNAP benefits also receive up to \$20 DUFB when they use their EBT card to get SNAP Bucks. DUFB can only be used to purchase produce, and new vendors are required to attend an informational meeting on Market Day regarding eligible products. DUFB are not unique to this Market, and DUFB received from any participating location may be used at the Market. Likewise, the DUFB received at the Market may be used at any participating location. DUFB can be used for purchases on their own, they do not need to be used

along with SNAP Bucks. Vendors should accept DUFB bucks at their booth towards eligible produce purchases, record and deduct the amounts received on the Vendor Sales and Fees Slip, and return the bucks at the end of the Market Day.

MARKET BUCKS

The Market uses "Market Bucks" printed by the Colorado Farmers Market Association (they may look similar to bucks used at other markets) and stamped with "Nederland Farmers Market". They come in \$5 increments. Like other "non-cash" payments listed above, Vendors should record and deduct the amounts received on the Vendor Sales and Fees Slip, and return the bucks at the end of the Market Day.

MANAGEMENT

The Market Manager and Board shall work together to enforce all the rules and regulations of the Market and work with the vendors to assist in their success. The Market Manager or her/his representative will be present at the market during operation. The Market Manager shall be aware of all health and sanitation rules and regulations affecting open-air farmers markets. If questions or problems arise on Market Day, they will be resolved by the Market Manager. The Nederland Farmers' Market Board will assist the Market Manager when needed. Please contact The Market President and/or Board with any Market Manager conflicts/complaints.

CONFLICT/COMPLAINT RESOLUTION

Any issues or questions that may arise during the course of a Market day are to be addressed directly with the Market Manager for appropriate action.

Any vendor challenging another vendor's products', legitimacy, or conduct must file a written complaint (email is acceptable) with the Market Manager, giving them the name of the vendor and the product or situations they allege are not in compliance with Market policies, including signature, date of potential violation, and date the letter is submitted. The Market Manager will report all complaints to the Board and attempt resolution.