

The Hitching Lot Farmers' Market: Rules and Guidelines

The following rules and guidelines are set forth to maintain the integrity and purpose of the Hitching Lot Farmers' Market and to achieve a successful and unique market atmosphere.

Statement of Purpose

- To serve as a community gathering place.
- To provide an opportunity for local farmers, gardeners, and vendors to sell fresh produce, other agricultural products, homemade food items, live plants, and arts and crafts to the public.

Mission Statement

To support the development of local sustainable farming by cultivating a vibrant Farmers' Market that serves as a community gathering place celebrating local farmers, food producers, and artisans.

Market Operating Schedule

The Market operates from the Saturday in May designated by the Hitching Lot Farmers Market Advisory Board through the last Saturday in October. It is open three times a week, Monday, 4 p.m.-6 p.m.; Thursday, 7:00 a.m.-10:00 a.m.; and Saturday, 7:00 a.m.-10:00 a.m. During the month of October, the Market will only be open on Saturday, but this is subject to change.

Special Events: On occasion throughout the year, the Hitching Lot Farmers' Market Advisory Board plans community events. These event dates are published and available prior to each scheduled special event. Information on these events can be obtained from the Main Street Columbus office. This will be dependent upon current local and state safety guidelines.

Market Fees and Application Process

Full Season: \$100.00

Includes every day of operation from beginning to conclusion of the Market season with the exception of any scheduled special events.

- **Only** returning Reserved Market Vendors may secure their desired space for the following Farmers' Market season by paying the \$100 fee no later than January 31st. Failure to pay the entire amount will result in forfeiture of the reserved space.
- All other Market Vendors may secure any remaining annual space after the January deadline designated by the Hitching Lot Farmers' Market Advisory Board.
- If the application deadline falls on a weekend or holiday, the guidelines are applicable for the following Monday or business day.

Daily: \$5.00

Available spaces on any operating Monday, Thursday, or Saturday of the Market. Available space to be determined by the on-site Market Manager at the time of payment.

Special Events

Vendor fees for special events will be determined by Hitching Lot Farmers' Market Advisory Board and will be published and distributed by planning committees in a timely manner prior to

the scheduled event. Special event fees are NOT included in annual vendor fees. Any vendor fees will serve as funds raised for the betterment and improvement of the Market.

Fees Payable

- Annual fees are submitted to: Main Street Columbus, Inc. 107 5th Street North, Columbus, Mississippi, 39701, or P.O. Box 1062, Columbus, Mississippi, 39703.
- Questions regarding application and reservation of a space should be directed to Katherine Lucas at the Main Street Columbus office at 662-328-6305.
- Daily fees are paid to the on-site Market Manager.
- Rules and guidelines must be agreed to and signed by the Market Vendor at the time of payment. A receipt and copy of the rules and guidelines will then be given to the annual vendor.
- All fees for daily and stall rentals are payable by cash, check, or money order and should be made payable to The City of Columbus.
- Checks for Annual stall rentals should be made payable to Main Street Columbus.
- Any fees for special events and non-regularly scheduled market dates should be made payable to Main Street Columbus.

Stall Assignments

- Reserved Market Vendors will be assigned a stall number for the season upon payment of fee.
- Priority will be given to those Reserved Market Vendors eligible for pre-January 31 registration who request the same annual stall they occupied the previous season or other stall if available.
- Unreserved Market Vendors will be assigned a stall based on availability.
- If a Reserved Market Vendor is absent on a market day, the space may be rented to another vendor by the Market Manager. If Reserved Market Vendors do not plan to attend the market on a particular date, if possible, please inform either the Market Manager or the Main Street Columbus office in advance. Otherwise, at 6:45 a.m., the space will be available to an Unreserved Market Vendor.
- Market Vendors should be completely set up when the market opens.
- The Market Manager reserves the right to cancel or change any stall assignment when he or she considers it to be in the best interest of Market operation.
- There are a total of 55 available 10' x 26' vendor stall spaces, 35 covered and 20 uncovered. There are a total of 11 spaces allotted for Artisan Vendors who sign up as annual Vendors, 6 covered and 5 uncovered. All other spaces are for all other vendor categories (as noted in this document).

Sales Tax

- Section 27-65-103 of the Mississippi Code provides an agricultural exemption for the payment of sales tax for farmers selling products grown on their farm, grove or garden when such products are sold in the original state or condition at the time of sale.
- Except for farmers selling such products in their original state as harvested from their farms, or baked goods vendors who make less than \$20,000 annually under the Cottage Food Law, all Market Vendors must collect the Mississippi sales tax required by law and remit same to the State of Mississippi. The City of Columbus knows of no other exceptions to the requirement of the collection and remittance of sales tax.

- Therefore, if the Market Vendor leasing the space from the City is selling merchandise that was not grown on the vendor's farm or is not in the original state as it existed when harvested on said farm, sales tax must be collected and paid.
- Questions about this requirement should be addressed to the Mississippi State Tax Commission (phone 662-240-1737).
- Sales Tax will be collected from all vendors selling taxable items at the conclusion of each market by the Market Manager in the provided envelope.

Role of the Market Manager

The Market Manager is authorized to collect all required fees for regularly scheduled markets and to monitor activity at the Market in order to ensure vendor compliance with all rules of the Market and policies established by the Advisory Board. The Manager will require compliance with all such rules and policies.

Signage, Housekeeping, and Conduct Guidelines

Market Signage Guidelines:

- Market Vendors are encouraged to post prices for all items sold.
- Market Vendors determine their own prices, but it is recommended that prices reflect accurate and fair value.
- Market Vendors are encouraged to post their business sign or farm name.
- Only certified organic growers may use the term "organic" in their advertising at the Farmers' Market. The use of the term "organic" is not permitted unless the producer can show a Certificate from the State of Mississippi that his or her produce is in fact organic. Market Vendors may use "pesticide free" and/or other terms, but the use of the word "organic" is controlled by State and Federal law.

Housekeeping Guidelines:

- For the 2021 season, vendors will continue facing outside towards the parking lot rather than facing underneath the awning.
- Market Vendors are responsible for any minors or small children brought to the market.
- Market Vendors will provide all necessary tables, chairs, tablecloths, scales, change, umbrellas or tents, bags for consumers, extension cords and display containers for their stall.
- Due to limited storage space and liability, the storage room at the market is available for use only by the City of Columbus and Main Street Columbus, Inc., and only for the Farmers' Market. No on-site storage is available for Market Vendors.
- Market Vendors are responsible for their own change and for collecting payment for their own products. Any exchanges and/or refunds are at the Vendor's discretion.
- Market Vendors are prohibited from distributing or displaying political materials, religious materials, or items of similar nature. Any displayed items should directly relate to the items being sold and displayed by the Vendor.
- Market Vendors are responsible for maintaining their spaces in a clean and sanitary condition, and are responsible for sweeping and disposing of any debris, at the close of business. All agricultural waste must be removed and taken away. All materials and waste that can be recycled should be removed and recycled.
- Market Vendors must keep all merchandise, refuse and personal property within the defined space allocated with their rental agreement. Each vendor space is 10 x 26.

Conduct Guidelines:

- Market Vendors are prohibited from playing loud music, radio, tapes, television or anything that would be disruptive to other vendors or customers.
- No firearms allowed on premises.
- No smoking is allowed within fifty (50) feet to the awning or vendor spaces of the market.
- Use of alcohol, controlled substances and gambling are not allowed anywhere on the Market grounds. Any Market Vendor under the influence of drugs or alcohol is subject to expulsion from the Market.
- Fraudulent, dishonest or deceptive practices carried on at the Market should be reported to the Market Manager and may result in revocation of permission to sell at the Market.

Any variation from the set guidelines may result in a vendor's expulsion from the Market. The Market Manager has the authority to enforce these regulations.

Eligibility Guidelines

- Market Vendors must reside and produce the items they sell within a 50-mile radius of Columbus, Mississippi.
- NO resale of products is allowed. **Items may not be purchased and resold at the market.**
- Farmers' Market Volunteers and/or Farmers' Advisory Board members will make farm visits each season to better understand Agricultural Vendors and, thus, for these growers to better understand the Farmers' Market. The Farmers' Market Advisory Board will request times and dates prior to visits.
- NO live animals may be sold or given away at the Market.
- All products must meet state and local health regulations. It is the vendor's responsibility to obtain and follow these guidelines.
- All produce must be top quality, as determined by Market Manager and The Hitching Lot Farmers' Market Advisory Board.
- Products which may be sold at the Hitching Lot Farmers' Market are listed below. If more than 50% of a vendor's average booth sales or display space over the course of the season are of craft items, the vendor is considered a "Crafter."

Direct Farm Products:

- Locally raised produce, meat, poultry, dairy products, eggs, plants, or flowers.
- See the Terms and Definitions for the full specifications for each of these products.

Value Added Products:

- Locally homemade baked goods, jams, jellies, breads, and prepared foods. "Low acid" canned foods (green beans, corn, peas, carrots, etc.) may not be sold, but high acid foods (pickles, tomato products, etc.) may be sold.
- All value added goods offered by a Food Vendor must meet all federal and state food safety regulations.
- Frozen or baked goods from a retail store are not allowed.
- Soaps, herbal body care and candles hand produced by the Market Vendor.

Compliance with federal and state regulations is the sole responsibility of the Market Vendor.

Arts and Crafts:

- Originally intended to supplement income for farms, the sale of arts and crafts at the market is permitted.
- The number of Artisan Vendors is limited to 6 of the 35 covered stall spaces and 5 of the remaining uncovered stall spaces (for a total of 11 spaces). This number applies to annual market vendors.
- Specific guidelines applicable to Artisan Vendors have been established in order to maintain the integrity of arts and crafts at the market. A copy of these guidelines may be obtained from the Main Street Columbus office.
- A juried Arts and Crafts Committee will assess the products of all crafters who desire a vendor space at the market and grant available spaces to the highest quality crafters and those meeting set standards.
- Artisan Vendors wishing to participate on a daily (not annual) basis must be approved by the jury prior to the market day. Once approved, the Vendor will receive an approval slip that is to be presented prior to set-up at the market. This approval slip will be applicable for the entire market season.
- Artisan Vendors are encouraged to include information about the source of their local materials and/or the history of their arts and crafts when submitting their proposed item.
- Those wishing to submit an arts and crafts item may do so on the first and third Mondays of the month to the Main Street Columbus office located at 107 5th Street North. Physical samples and/or photographs are accepted. Applicants will be notified of acceptance and space availability within 2 weeks of submittal.
- Acceptance of arts and crafts applicants will be based on space availability, category of craft, materials used, general quality and workmanship.
- If more than 50% of a member's average booth sales or product displays, over the course of the season are arts and crafts items, the vendor is considered an Artisan Vendor.

The Hitching Lot Farmers' Market/ Main Street Columbus, Inc. Commitments

- Marketing for the Farmers' Market operation.
- Fundraising, special events, entertainment, children's activities, special activities and public education.
- Music and entertainment.
 - Market Vendors should not play instruments, tapes, or CDs.
- Parking, trash cans, electrical outlets, and restrooms.
- Market Vendors must haul away their agricultural waste. Trash cans are only for small amounts of non-food trash.