



## 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 two times a week, Tuesday, 4 p.m.-6 p.m. and Saturday, 7:00 a.m.-10:00 a.m. During the months of September and October, the Market will only be open on Saturday.

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 March 8<sup>th</sup>. 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 March 8th 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 Tuesday 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 5<sup>th</sup> 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 Chelsea Best at the Main Street Columbus office at 662-328-6305, or [info@columbusmainstreet.com](mailto:info@columbusmainstreet.com).
- 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-March 8th 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 96 available 10' x 26' vendor stall spaces, 32 covered and 64 uncovered. There are a total of 9 spaces allotted for Artisan Vendors who sign up as annual Vendors underneath the covered awning. All other spaces are for all other vendor categories (as noted in this document).

### **Sales Tax**

- 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.

<https://www.dor.ms.gov/sites/default/files/Laws%20Regs/Part%204.pdf>

- Sales of food products and honey that are grown, made, or processed in Mississippi and sold from farmers' markets that have been certified by the Mississippi Department of Agriculture and Commerce are tax exempt.
- Except for farmers selling such products in their original state as harvested from their farms, or baked goods vendors who make less than \$35,000 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.
- 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. Cash or Check is acceptable. Check's must be made out to the City of Columbus.

### **Role of the Market Manager**

The Market Manager is authorized to collect all required daily 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:

- 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 are responsible for keeping all tables and chairs in presentable and useable condition. All tables left in the space must be maintained and safe for public use. The Hitching Lot Farmers' Market Coordinator has the authority to determine what is allowed.
- 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. **If you choose to use more space than has been assigned, an additional rental fee will be required.**
- We encourage all Market Vendors to keep their tables off of the center aisle. This helps with keeping the traffic flowing at the market. If you choose to keep your table on the center aisle, you **MUST** keep the tables/displays behind the metal green poles that line the pavilion walkway. **If you do not adhere to these guidelines, you will be asked to move them to their proper placement.**
- Market Vendors may allow customers to pre-select or pre-order items; however, all sales must wait until the market officially opens.

#### 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 the premises.
- No smoking or vaping is allowed on City of Columbus property. This includes but is not limited to the awning, parking lot, bathrooms, 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.
- Market Vendors should be respectful of each other and their space. Please do not purposefully pull customers away from another Vendor who is in the process of making a sale.
- Market Vendors are not permitted to walk around the market selling their goods. You are allowed to sell your products within your rented booth space. **Do not walk the premises selling your goods to customers of the market. Please be respectful to other Market Vendors.**
- Fraudulent, dishonest, or deceptive practices carried on at the Market should be reported to the Market Manager or Market Coordinator 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 and Market Coordinator have the authority to enforce these regulations.*

#### **Eligibility Guidelines**

- Market Vendors must reside and produce the items they sell within a 80-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. You must be present at your farm when the visits are scheduled to take place.

- 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, the Market Coordinator, 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.
- Plants that are sold in soil must be inspected by Glynn Hankins, of the Mississippi Department of Agriculture and Commerce prior to selling at the market. Call 662-418-4272 to schedule an appointment. You must be able to present your approved certificate of inspection to the Market Manager or Market Coordinator when requested.
- Egg, Meat and Dairy vendors must abide by state guidelines. You can find the requirements online at

<https://www.mdac.ms.gov/bureaus-departments/farmers-market/permit-requirements/>

#### Value Added Products:

- Cottage Food products may only be produced in Mississippi. Likewise, Cottage Foods made in other states may not be sold in Mississippi.
- Locally homemade baked goods, jams, jellies, breads, and prepared foods may be sold. "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. **You must label each product according to Cottage Food Guidelines.**  
Your label MUST include the following:
  - The name and address of the cottage food operation.
  - The name of the cottage food product.
  - The ingredients of the cottage food product, in descending order of predominance of weight.
  - The net weight or volume of the cottage food product.
  - Allergen information as specified by federal labeling requirements.
  - If any nutritional claim is made, appropriate nutritional information as specified by federal labeling requirements.
  - The following statement printed in at least ten-point type in a color that provides a clear contrast to the background of the label: "Made in a Cottage Food operation that is not subject to Mississippi's food safety regulations."
- Frozen or baked goods from retail stores are not allowed.
- Beverages or other liquid foods are not allowed.
- Soaps, herbal body care and candles hand produced by the Market Vendor are allowed.
- Jams and Jellies made with sugar substitutes are not allowed.

- Any vendor selling chocolate/candy/caramel covered fruit (i.e. candied apples) must be sold intact and the consumer may insert the stick after the purchase.
- Products containing alcohol may not be sold according to state regulations. Alcohol is not allowed in cottage foods, regardless of how it is prepared. (i.e. Rum Cakes, Vanilla Extracts containing alcohol, etc.)

*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 9 of the 32 covered stall 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 must be approved by the jury prior to the market day. Once approved, the Vendor will receive a “Craft Badge” that is to be presented prior to set-up at the market. This badge 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 at the Main Street Columbus office located at 107 5<sup>th</sup> Street North. Physical samples and/or photographs are accepted. Appointments can be set up by calling 662-328-6305, or email [info@columbusmainstreet.com](mailto:info@columbusmainstreet.com).
- 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 (only certain stalls), and restrooms.
- Market Vendors must haul away their agricultural waste. Trash cans are only for small amounts of non-food trash.