

Jim Thorpe Farmers Market

2009 BYLAWS

Provisions of the Bylaws shall not be in conflict with the Jim Thorpe Chamber of Commerce Bylaws.

Article I. Purpose

1. To provide consumers with locally-grown, farm-fresh products at a convenient location.
2. To provide area farmers with improved marketing opportunities.

Article II. Participation, Organization

1. Vendor must be actively engaged in the production of approved products on a full or part time basis
2. The term "farmer" means actively engaged in the production of fruits, vegetables, ornamental plants or livestock.
3. Each Vendor and Officer, referred to collectively as "Board members", shall have one vote on group decisions.
4. Issues shall be decided on the basis of a majority votes with the exception of line 7. All Board members must be given the same notice and opportunity to vote on issues. All votes must be motioned by two board members before a vote proceeds. Types of issues requiring a vote include but are not limited to:
 - a. Entrance of additional Vendors
 - b. Changes to the sales times
 - c. Election of officers
 - d. Setting fees
 - e. Any purchases over \$100 or agreements for the farmers' market
5. Any purchases under \$100 will be decided by the officers.
6. All purchases will require two officers' signatures.
7. Changes to these by-laws shall be decided on the basis of over two-thirds of votes cast.
8. Entrance of additional Vendors will be allowed if the new vendors agree to follow these by-laws and are approved by a vote of the existing Vendors and officers. Reasons to disallow additional vendors include but are not limited to:
 - a. Insufficient space at the market
 - b. Insufficient customer traffic
 - c. Excess supply of the commodities to be sold by the new Vendors
 - d. Not agreeing to follow by-laws.
9. Vendor cannot transfer the right to operate a stand directly to another Vendor.
10. Fees will consist of an annual entry fee. These will cover the joint costs of the farmers' market including but not limited to:
 - a. Rent to the property owner
 - b. Advertising and promotions
 - c. Charges for a bank account and other products or services.
11. The Board members can eject one who willfully violates these by-laws, without any refund, after a discussion and vote.
12. Officers will be the President, Vice-President/Treasurer, and Secretary. Officers can be Vendors or volunteers and will be elected annually, at the first meeting after April 1st.. Positions can be combined.
 - a. The President shall chair meetings, be the main contact person for Vendors and the property owner, appoint committees and bring issues to the Vendors as needed.
 - b. The Vice-President/Treasurer will assist with these duties as needed, collect fees, pay bills, and keep financial records..
 - c. The Secretary will maintain up-to-date by-laws and mailing list, notify Vendors of meetings, and keep minutes.
13. An audit committee of Vendors shall be appointed by the President to examine financial records at the end of each season.
14. Vendors must extend their farm liability insurance coverage to their market stand for at least \$500,000 in coverage at the address of the market. A separate liability insurance policy for the market area will be taken out by the group.
15. Cooperative Extension staff will play an advisory, non-voting role.

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Article III. Rules

1. All products displayed must be produced by the Vendor who sells them. Any product not produced by that farmer must be submitted to the board members for a vote.
2. Vendor shall indicate the products they plan to sell on an application form to be submitted at the beginning of each season.
3. Product sold can be expanded and limited by vote of the Board members or as restricted by the property owner. The following can be sold: Vegetables, Fruits, Herbs, Preserves, Cider, Pumpkins, Ornamentals, Honey, Maple syrup, Eggs, Wool, Fleeces, Yarn, Meat, Nursery Stock, Potted Plants, Cut Flowers, Prepared Foods and Baked Goods.
4. Vendors must comply with local, state and federal regulations that apply to their products. These include but are not limited to:
 - a. Pesticide licensing, their safe use and residue levels
 - b. A seal on weigh scales and compliance with other measure rules
 - c. Participation in mandatory research and marketing assessments for certain ag commodities
 - d. State sales tax collected as required
 - e. Health regulations that limit the preparation of ready-to-eat foods
 - f. Preserves, honey and canned foods labeled and limited as required
 - g. Eggs labeled and sold at internal temperature as required.
5. Annual fees must be paid according to the agreed-upon terms prior to selling at the farmers' market.
6. Vendors shall commit to and prepare to sell at all days of the market season. If a crop failure or other uncontrollable reasons prevent this participation, the Vendor should inform the officers as soon as possible.
7. Vendors must arrive in time on sales days to be ready to sell at the official opening time (Market hours are 9am – 1pm).
8. No sales are allowed before the opening time.
9. Vendors have the right to operate as each sees fit (pertaining to selection, quality, pricing, merchandising, stands, services, etc.). However, activities that seem to exceed normal sales practices can be questioned by other Vendors. If a vote is called, the Vendor in question must comply with the decision made. Abnormal activities include but are not limited to:
 - a. Unsafe conditions or hazards at a stand
 - b. Consistent pricing of products well below profitable levels
 - c. A stand that impedes access to other Vendors
 - d. A stand or products in a condition that detracts from the market's appearance or reputation
 - e. All canopies, tents, umbrellas, etc. must be weighed down and secured.
10. Vendor stands will be assigned at the beginning of the season by the President.
11. Two Vendors can share a stand (with one vote on issues).
12. Farmers' stands shall be no more than 30 ft in length.
13. Vendors must re-state their intent to participate and make a deposit before April 1st of the following market year.
14. Farmers have first right of refusal for the stand location they had the previous year.
15. All functions of this organization shall follow Robert's Rules of Order.