

CITY OF MOSCOW, IDAHO
FARMERS MARKET POLICIES

MISSION STATEMENT

To celebrate life on the Palouse by providing the community with the opportunity to buy and sell locally farmed and/or created produce (e.g., crops, meat, cheese, wine, etc.), and distinctive handmade goods. This venue is meant to encourage and support sustainable economic, social and environmental practices.

I. MOSCOW FARMERS MARKET CORE VALUES ARE:

A. Access. Providing access to locally grown produce, foods, unique hand-made goods and their producers.

B. Economic Opportunity. Contributing to the greater Moscow economy with emphasis on assisting local, small, independently owned, and start-up enterprises.

C. Community. Building community by welcoming all residents and visitors, and providing a safe space and opportunity for community engagement, interaction, entertainment, and cultural enrichment.

D. Information. Increasing awareness of and providing education about and in support of health and wellness practices, regional agriculture, sustainability, and sound environmental practices.

MARKET POLICIES

These Market Policies shall apply to the Moscow Farmers Market and its Vendors during the Market Season. These Market Policies have been developed from input sent to City Council by the Farmers Market Commission and from public and City staff input.

Farmers Market (“Market”) Policies will be enforced by the on-site Market Manager and/or in consultation with the City’s Arts Director, depending on circumstances. Market Vendors are expected to be selling their own wares (produce and products) and to be in attendance at all times, except in emergency situations. Immediate family members of Market Vendors may assist with sales in the absence of designated Market Vendor. Immediate family members include spouse, partners, parents, step-parents, children, and step-children of the Market Vendor.

Those who participate in the Market include Season Vendors (selling produce, nursery products, hot and cold food, and crafts); Child Vendors; and Walk-on Vendors, (all as defined within these policies). Such Vendors shall produce the food, produce, and/or crafts offered at the Market in a location not more than two hundred (200) air miles from Moscow City limits.

All Market Vendors agree to abide by Market Policies upon signing the Market application form. All Market Vendors will be evaluated for compliance with Market Policies. Failure of Market Vendors to follow Market Policies will result in actions set out in Appendix 4.

The Market does not currently charge a percentage of Gross Sales or an annual membership fee but reserves the right to do so.

Because the Market is located entirely on public right-of-way or City controlled property, the City reserves its right to regulate activities which occur within such public property.

II. THE MARKET

A. Market Location.

The Market is located generally on Main Street south of Third Street and north of Sixth Street in downtown Moscow, and east of Main Street on the 4th Street right-of-way (west) of the cul-de-sac, east on 5th Street from Main Street to the alley, and Friendship Square, unless temporarily located or extended elsewhere when found to be in the best interest of the City. See Appendix I (map of Moscow Farmers Market).

B. Market Vendor Space

Without compromising quality, preference will be given to the most local grower/producer when a Market Season space becomes available.

With some exceptions, resale or the sampling (give-away) of resale items at the Market is prohibited. This includes bulbs, plants and produce not specifically grown at the time and expense of the Market Vendor.

C. Resale Produce Vendors

All produce and products must be grown or produced by the seller. Any Market Vendors bringing produce or products to sell other than those grown on their farm or made by such Market Vendor, with the following exception, will be processed pursuant to Appendix 4, Farmers Market Penalties.

NO wholesale or resale products of any kind except for the following: If approved in advance by the Arts Director and/or Market Manager, current Produce Vendors may resell blueberries and/or asparagus grown within the two hundred (200) air mile radius. The Arts Director has discretion for Vendors to provide for resale of blueberries and/or asparagus grown outside the two hundred (200) air mile radius. Such Vendors must display a sign eleven inches by seventeen inches (11" x 17") saying they are authorized to resell these items and state the name and location of the farm where the items are obtained. Farms supplying blueberries and asparagus will be held to the same site visits, standards and guidelines as current Produce Vendors.

D. Market Schedule

Market Season is every Saturday in the months of May through October, annually. Market sales occur between the hours of 8:00 a.m. and 1:00 p.m. each Market day during the Market Season.

E. Animals Prohibited in the Market. With the exception of a "service animal" (as defined in the Americans with Disabilities Act 2010 final regulations), dogs and other animals and pets are not allowed in the western portion of Farmers Market (as shown in Appendix 1).

F. Regulation of Certain Activities During the Market

Because it is important for the continuing success of the Market to preserve its character and appearance and because the Market was established and remains primarily a local growers Market, certain activities that otherwise occur during non-Market hours are regulated in the public right-of-way during the Market hours as follows:

1. “Cart” Vendors. Vendors who are licensed pursuant to Moscow City Code Title 9, Chapter 11 shall not be allowed in the Market Location during Market hours unless they qualify as a current authorized Farmers Market Vendor, independently of their Vending license. See M.C.C. § 9-11-13.

2. Licensed Sidewalk Cafes. The possessor of a current, valid sidewalk café license from the City may operate a sidewalk café in the Market during Market hours pursuant to regulations contained within Moscow City Code Title 9, Chapter 12. Council recognizes and reaffirms that the purpose of the sidewalk café license is to allow the contiguous storefront restaurant to extend its typical and customary service into the portion of the public right-of-way shown in the license. Independent contractors, sub-contractors, sub-lessees, agents, or others who are not part of the day-to-day business of the contiguous restaurant owner shall not be allowed to sell or promote in the Market, unless they otherwise qualify as a Farmers Market Vendor and meet all of the Farmers Market Vendor’s requirements in this Policy. See, M.C.C. § 9-12-6(B).

3. Downtown Businesses Other Than Sidewalk Cafes. Downtown businesses may continue their operations during Market hours. The areas in the Market that are contiguous with non-retail business(es) or business(es) that are closed during Market hours are not to be used for the display or sale or promotion of produce, products, goods or services by such business(es) or by any person or group other than as specifically authorized by the Council or by this Policy. Sales, promotions tables, and displays placed contiguous with the front of downtown business(es) are allowed as long as those sales or displays are an extension of what is available for sale or promotion by and within the contiguous business and such sales or promotions are carried out by the owners or their employees. No activity which directly interferes with or competes with Market and/or its Vendors shall be allowed within the public right-of-way during Market hours unless that activity occurs by and within the contiguous business on a day-to-day basis as an integral part of such business. Independent contractors, sub-contractors, sub-lessees, agents, or others who are not part of the day-to-day business of the contiguous owner shall not be allowed to sell or promote in the Market unless they otherwise qualify as a Farmers Market Vendor and meet all of the Farmers Market Vendor’s requirements in this Policy. Sales tables, clothes racks, free-standing displays, etc., shall be placed contiguous with the storefront in a manner that allows the preservation of an unobstructed pedestrian access on the sidewalk of not less than four contiguous feet (4’) and as approved by the City Fire Marshall.

4. Universities, Colleges or Other Educational Institutions Participation in Farmers Market. Universities, colleges, or other educational institutional departments and retail outlets are not allowed to apply as Market Vendors. Student organizations, if qualified, may participate.

5. First Amendment Activities. Because of the importance the City places on First Amendment rights and activities, the Council has adopted specific regulations relative to downtown First Amendment activities during Farmers Market hours. The City has established reasonable time, place, and manner restrictions and has designated Friendship Square as the location for such activities in the downtown area during Farmers Market hours. See Resolution No. 2012-13. No separate, additional, or expanded First Amendment activities shall be allowed within the Market during Market hours, unless specifically authorized by Council or required by the United States or Idaho Constitutions.

III. GENERAL POLICIES FOR ALL VENDORS

A. Vendor Conduct

1. Smoking. Smoking by Market Vendors during Market hours (7:00 a.m. – 2:00 p.m.) is prohibited.

2. Hawking. Hawking (to offer for sale by calling aloud in public) is prohibited.

3. Non-approved items. The sale of non-approved items is not allowed and the Market Manager may confiscate such items. Distribution by Vendors of literature, information or signage not related to Vendor's products or services is prohibited.

4. Items prohibited from being sold or used in the Market:

No brand name items. The sale of brand name items (such as canned or bottled water and soda) is prohibited.

5. Cleanliness. Market Vendors are responsible for the set-up, clean-up and safe operation of their Market Vendor's space. State and local health and safety requirements, particularly those in the food area of the Market, will be enforced by the Market Manager and/or the Health Department. Market Vendors should have their own trash receptacles/bags to take with them at the end of the Market day. Failure by a Market Vendor to remove trash will result in violation of Market policies and subject to penalties as stated in Appendix 4. The trash receptacles in the Market are for use by Market customers and should not be used by Market Vendors for trash at the end of the Market day. The dumpsters in the Jackson Lot are privately owned and are not for Market use. Food Vendors are required by Idaho State law to deposit grey water waste in the receptacle provided at the Market. No grey water or other waste water, fat, grease, oil, or other liquid shall be placed in the gutter or in a City stormwater catch basin or other City water collection system. Note: the City will provide grey water dump stations for use by Vendors.

6. Decorum. The Market requires and expects considerate, polite, common sense and friendly cooperation among all Market Vendors. Market Vendors shall respect the authority of the Arts Director and the Market Manager and the rights of the other members of the Market. If a Market Vendor feels that he or she is being treated unfairly or in an unprofessional manner by the Market Manager, such a complaint shall be made only to the Moscow Arts Director.

7. Violations. A written explanation of any fine or other discipline of a Market Vendor for failure to abide by Market rules shall be given to the Market Vendor by the Arts Director or Market Manager within fifteen (15) days of the action. Upon receipt of the written explanation, the Market Vendor will be provided an opportunity to be heard by the Farmers Market Commission orally or in writing before any expulsion or termination of Market Vendor Season Pass occurs.

8. Participation in Market Promotion. Each Market Vendor gives permission to the City to publish the Market Vendor's name, business name, address and phone numbers in a Market publications. Market Vendors will be asked to give permission for posting of promotional materials on a City website hosting the Market. This is intended for promotional purposes and for publication by print media, video or motion picture. Participation in the Market acts as a grant of permission to the City to use photographs and other images of Market Vendors for promotional purposes without compensation.

9. Signage. All Market Vendors must post signage identifying Vendor's business during operation of the Market.

10. Annual Gross Sales Reporting. All Market Vendors are required to report their Annual Gross Sales by November 15th, immediately following the current Farmers Market Season, utilizing “Manage My Market” software. Failure of Market Vendors to report Annual Gross Sales, as required under this Policy, will result in said Vendor being disqualified to participate in the following Market Season. This confidential and anonymous information will be used for future grant proposals and economic impact data collection.

11. Idaho Sales Tax Reporting. Market Vendors must include an Idaho Sales Tax Form ST-124 with their Market Vendor application as required by the Idaho State Tax Commission. A Market space will not be assigned if Form ST-124 is not received by the third Friday of March, each year, (the Market Vendors’ Season Pass application deadline). If you have questions, contact the Department of Revenue and Taxation, Idaho State Tax Commission (208) 799-3491. The State Tax Commission will be checking for tax compliance throughout the Market Season. All Market Vendors (whether Walk-on or Season Vendors) are required by law to have a copy of Form ST-124 in their Vendor space at all times.

B. Agreement to Hold Harmless, Defend, and Indemnify

In order to participate in the Market, every Market Vendor (Seasonal and Walk-on) shall sign agreement that holds the City harmless for any and all actions or inactions of every Market Vendor or person associated with such Market Vendor and that agrees to defend and indemnify the City for any claim filed against the City related to any and all activities which are associated with the Market Vendor, the Market, or the Market Vendor’s business.

C. Use of Vendor Spaces

1. Most Market Vendor spaces will be marked as an eleven feet by fifteen feet (11’ x 15’) space. A Market Vendor’s business must be conducted within Market Vendor’s assigned space. Market Vendors may not extend beyond the limits of the assigned space or into the pedestrian area at the entrance of the Market Vendor space. Canopies and umbrellas cannot extend outside a Market Vendor space. Requests for larger Market Vendor space will be granted at the discretion of Market Manager, where possible. The Moscow Fire Department will check for compliance with relevant fire regulations throughout the Market Season to assure fire safety and emergency vehicle accessibility. Market Vendors who use tents must comply with Fire Department tie down regulations. See Appendix 3.

2. Season Market Vendors who apply by the deadline (the third Friday of March, each year) may request the same space as the previous year. Such request (and the reasons for that request) will be taken into account when spaces are allocated; however, the City reserves the right to make the final decision on space allocation based upon Market needs. Priority for the remaining Market Vendor spaces will be given to Market Vendors new to the Market whose goods complement the Market and help “round out” what is presently available (as determined by the Arts Director and the Farmers Market Commission selection process). Reasonable efforts will be made to accommodate all who apply. Season Passes are non-transferable and cannot be “rented” or loaned to another party.

3. Use of a Market Vendor space for purposes other than those outlined in the application is prohibited, unless specifically authorized.

4. Any proposal by Market Vendors to share Season Market Vendor space must be approved prior to the Market Season and during the application process.

5. Permits and Licenses. All Vendors shall provide, at the time of application, current copies of any permits and licenses applicable and necessary for the sale of their products. Specific requirements related to the Fire Department, sampling, and other common permits, can be found in Appendix 3 and 5.

D. Market Vendor Attendance

1. All Season Vendors are required to attend the mandatory annual Market orientation meeting prior to start of Market Season, at date and time set by Moscow Arts Director.

2. Approved Market Vendor Substitution. Where a Market Vendor receives approval of the Arts Director or Market Manager, such Market Vendor will be allowed to have someone else operate their business for up to two (2) Market days per Market Season.

3. Non-Attendance. Season Market Vendors are required to call in to the Market telephone or to send an email to the Market Manager before an upcoming Market day that will be missed. For contact information see Appendix 5. If illness or emergency forces non-attendance, the Market Vendor must contact the Market Manager at the numbers and locations provided by the City. Season Market Vendors who do not notify the Market Manager of their imminent absence will be in violation of Market Policies and subject to penalties as provided in Appendix 4 of these Market Policies.

E. Setup and Take-down

1. Setup. Large vehicles should arrive early to allow sufficient time for unloading during setup. Vendors are to pull into their space, unload their items, park their vehicle away from the Market (parking is available at Moscow City Hall), and then return to their space to begin setting up for the Market. 5th Street will be closed to all vehicles at 7:15 a.m. Market Vendors must be in their assigned Market Vendor space and be unloaded by 7:30 a.m. on Market day. If not in compliance, the assigned Market Vendor space may be forfeited. All vehicles must be off Main Street by 7:30 a.m., unless otherwise specifically allowed by the Market Manager. All tents must be placed as close to the adjacent curb as is physically possible, unless specifically authorized by the Market Manager or Arts Director (on a case-by-case basis).

2. Take-down. Market Vendors may stay in their Market Vendor's space until 1:00 p.m.. The City requires that the Market Location be completely vacated by the Market and its Market Vendors by 2:00 p.m. (so that the Market Location and parking can be available to the public). Market Vendors should use extreme caution when exiting. Market Vendors requiring early departure must inform the Market Manager of plans for early departure and must carry goods out of the Market Location without using a vehicle. Once the Market has opened for business at 8:00 a.m., no vehicle may enter or leave the Market Location until after 1:00 p.m. unless directed to do so by the Market Manager, a peace officer, or an emergency services provider in the course of their employment.

F. Business Site Walk-Through.

All Vendors, Seasonal and Walk-on, are subject to an on-site business walk-through by the Moscow Arts Director, Market Manager and/or members of the Farmers Market Commission. The purpose of the on-site walk-through is to ensure all Vendors are current on required permits and licenses and also to inspect Vendor goods. Vendors will be notified of any policy and/or procedure violations and will be required to correct any violation as directed by the Moscow Arts Director. Failure to allow an on-site walk-through is grounds to revoke Vendor's ability to participate in Moscow Farmers Market.

IV. SPECIFIC VENDOR EXPECTATIONS

A. Season Vendors selling agricultural products (produce, livestock, and value added) shall be a priority for Market space. Moscow Farmers Market's goal is to have fifty percent (50%) of Market Vendors be agricultural products.

B. Walk-on Vendors. Walk-on Vendors are not guaranteed a particular location in the Market. A Walk-on Vendor may be considered for a Season Vendor space after Walk-on Vendor has participated in prior Market Season, and has abided by Market Policies. Walk-on Vendors product must be a reliable, quality product that fills a need in the Market.

C. Labeling. All packaged food products (e.g., jams, jellies, salsa, nuts, etc.) must be labeled. Labels must include the Market Vendor's name; Market Vendor's address; ingredients listed in order of volume (most to least); and potential allergenic ingredients. Market Vendor's phone number on the label is recommended.

Prepared and Value-Added. Value added or processed foods include preserves, jams, jellies, ciders, syrups, salsas, smoked meats or fish, dried fruits and herbs, and flours. All such value added or processed foods must be made in accordance with relevant State of Idaho regulations. Commercial kitchens must be used to prepare certain foods, as required by relevant State Codes.

Local ingredients. All Prepared and Value-Added Vendors must use local ingredients as part of product mix. Market Vendors must list and identify the source of the locally grown ingredients, and post visible signage identifying the locally sourced ingredients.

Pricing. Food Market Vendors shall post a clearly visible menu with pricing.

All Value Added Food Market Vendors must be juried prior to being eligible to participate in the Market. Established Market Vendors desiring to introduce new food product shall preview new food product to City's Market jury annually prior to new Market Season.

Originality. All food items should be largely original and made from scratch. Food Vendors must minimize container waste.

D. Fresh Produce and Nursery Vendors. Market Vendors who bring fresh produce, herbs, grains, fruits and vegetables, cut flowers, potted plants, and other plants, seeds, shrubs, and tree and vine starts to the Market are encouraged to utilize hygienic and sustainable standards in the planting, growing, cultivating, transporting, and offering of such items for sale.

Organic Certification. All Market Vendors presenting products as "organically grown" shall include the certification form with their Market Vendor application, unless otherwise exempt under Idaho Code. Certification will be checked for compliance by the State that granted certification. Certification shall be posted in the Market Vendor's space at all times. See Appendix 5.

E. Meat/Poultry Vendors. The majority of products sold at Meat/Poultry Vendor's booth during the Market Season are meat, milk, eggs, etc.

F. On-Site Prepared Food. The majority of products sold at On-Site Prepared Food Vendor's booth during the Market Season are ready-to-eat foods that are made on site on Market day, or prepared in advance. On-Site Prepared Food Vendors must list and identify the source of the local ingredients, and post visible signage identifying the local ingredients. Such foods include sausages, hamburgers, kettle corn, burritos, tamales, combination plates, barbeque, skewers, etc. Moscow Farmers Market encourages all vendors to utilize local ingredients. All customer service utensils (forks, spoons, knives, plates, bowls, napkins, or other disposable service-ware) shall be compostable products.

G. Forager Vendors.

1. Requirements to qualify. Forager Vendors are required to disclose where product was harvested (disclose area to within a five [5] square mile description), provide all required State or Federally issued permits, sign disclosure that no laws were violated in harvesting or selling of wild mushrooms, plants, or berries, under penalty of perjury.

2. Permits. All states and Federal land in the Northwest, and within two hundred (200) miles of Moscow Farmers Market, have their own requirements, guidelines, permits, and fees for foraging mushrooms and other wild growing edibles. The Moscow Farmers Market may ask for proof of origin and/or assurance that foragers have contacted the appropriate authorities prior to harvesting wild mushrooms, plants, or berries.

H. Craft Vendors

1. Originality. All Craft Vendors must certify that they are making their product by hand or with the appropriate tools and that the product for sale is not the result of a kit assembly, commercially available plan or transfer, or the direct resale of an imported or other commercially available product. Concerns about compliance with this policy may result in a site visit to the Vendor's studio, farm, shop, or other place of business by a committee composed of City Management and Farmers Market Commission members. All Craft Vendors (including Walk-on Vendors) will need to preview new products to the City's Market jury annually prior to the Market Season. All Craft Vendors will be restricted to one (1) space but exceptions may be made at the direction of the Arts Director for large craft items, such as furniture.

2. Cosmetics are considered crafts and include creams, lotions, shampoos, and some soap products. Cosmetics must be in compliance with the Federal Food, Drug, and Cosmetic Act, the Fair Packaging and Labeling Act, and must follow rules set by the FDA. Soap products consisting primarily of alkali salts and of fatty acids and which make no label claim (other than the cleansing of the human body) are not considered cosmetics for purposes of these Market policies.

I. Child Vendors

The Children's Market is intended to encourage and support early interest in farming, gardening, crafts, growing, and selling. The general rules of the Market apply to the Children's Market (e.g., pay appropriate fee(s) as determined by City Council; produce must be grown, cultivated, and harvested by the child; crafts must be made by the child; and all items must be pre-approved by the Market Manager). In addition:

1. Children must be younger than twelve (12) years of age to participate in the Children's Market.

2. Children must be supervised by an adult at all times during the Market.

3. Groups of four (4) or more children will be treated as Walk-on Vendors.

4. Children Vendors should request Market space prior to Market day.

J. Performance Vendors (Busker)

Any person or group of persons who plays musical instruments, sings, dances, speaks, offers face painting, balloon tying, or otherwise provides entertainment in the Market, other than in designated Vendor spaces, and seek tips or donations for such performances. Commercial vending of products is not considered a "performance" and, as such, does not qualify as "performers" under Market Policy.

K. Walk-on Market Vendors.

Several walk-on spaces are available each Market. Additional space may be available to others when Season Market Vendor space becomes available due to Market Vendor absence. Any person interested in walk-on opportunities should contact the Market Manager at (208) 883-7132. Walk-on Market Vendors will be given walk-on Market Vendor space after availability is determined. Idaho State Sales Tax Form ST-124 and a short application must be completed utilizing electronic “Manage My Market” program prior to setting up as a walk-on Market Vendor. Walk-on Market Vendor information will remain on file with the Market Manager and will remain in effect through the end of the Market Season. See Fee Schedule Appendix “2”.

V. MARKET SPACE FEES

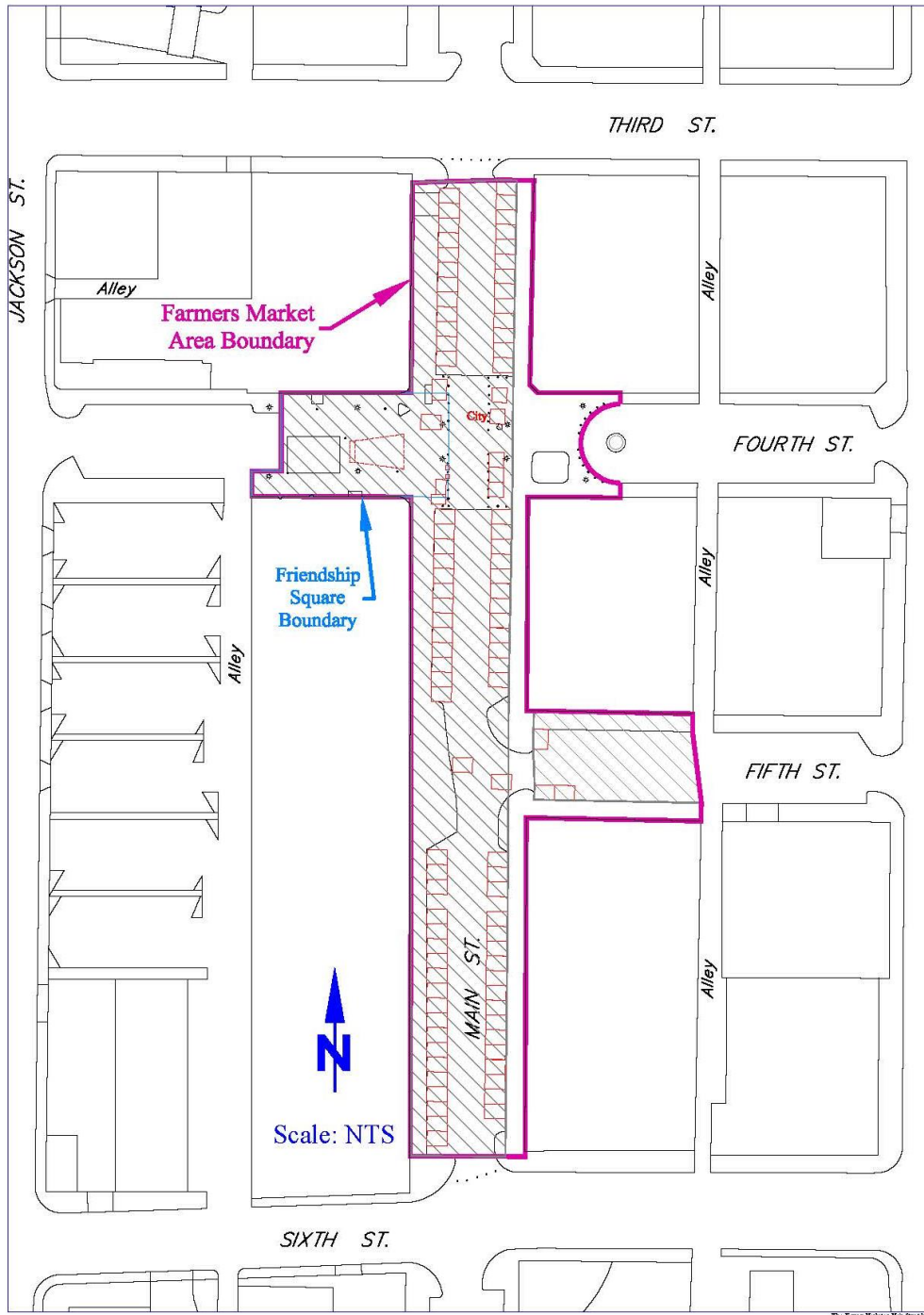
For information about fees for Market Vendors for the Market Season, please refer to Appendix “2”. The City Arts Director will advise Market Vendors in advance of any public hearing where an increase of fees of more than five percent (5%) is to be considered.

VI. EFFECTIVE DATE.

This Policy shall be effective upon approval by the Moscow City Council.

APPENDIX 1

Farmers Market Location



**APPENDIX 2
MARKET SPACE FEES**

SPACE / LOCATION	PRICE PER DAY	PRICE PER SEASON	
REGULAR MARKET VENDOR SPACES			
SEASON VENDOR		\$294.00	11' x 15' TABLE/TENT
ANNUAL MANAGE MY MARKET REGISTRATION FEE		\$15.00	
SURCHARGES			
ELECTRICAL HOOKUP	\$6.00	\$139.00	PER UNIT / OUTLET
TRUCK PARKING	\$11.00	\$260.00	
CORNER SPACES		PER SEASON FEE AS STATED ABOVE PLUS \$105	

FOR WALK-ON MARKET VENDORS, CHILD MARKET VENDORS

	DAY FEES	WITH TRUCK SPACE
ANNUAL MANAGE MY MARKET REGISTRATION FEE	\$15.00	
CHILD VENDORS ARE EXEMPT FROM MANAGE MY MARKET REGISTRATION AND FEE		
WALK-ON FEE (11' x 15')	\$32.00	ADDITIONAL \$ 32.00 PER DAY
HALF SPACE	\$19.00	
TABLE SPACE (3' x 3')	\$13.00	
CHILD VENDOR (5' x 5')	\$ 6.00	
PERFORMANCE ART MAXIMUM LIMIT 4 PER MARKET DAY	\$ 7.00	

Total space fee for Market Season Vendors is due in Moscow City Hall by 5:00 p.m. local time on the third Friday of March, each year. If a Market Season Vendor cannot pay the total fee due by the deadline, then such Market Season Vendor shall make arrangements for a payment plan with the City of Moscow Arts Director.

APPENDIX 3

MOSCOW VOLUNTEER FIRE DEPARTMENT INSPECTION REQUIREMENTS

The following items will be inspected by the Moscow Fire Department on an irregular basis. Each Market Vendor must follow all requirements at all times.

1. Fire Extinguishers
 - a. A minimum of one (1) five pound (5 lb.) ABC type portable fire extinguisher is required for each Vendor with any type of cooking device or warming plate.
 - b. A class K rated portable extinguisher is required for deep-vat fry cooking equipment involving vegetable or animal oils and fats.
2. Portable Cooking devices
 - a. Each Vendor with a cooking device under a canopy or tent shall provide the Moscow Fire Department with a certificate executed by an approved testing laboratory certifying that the canopy or tent is composed of material meeting the flame propagation performance criteria of NFPA 701 or shall be treated with a flame retardant in an approved manner and meet the flame propagation performance criteria of NFPA 701.
 - b. No combustible material shall be within five feet (5') of any cooking device.
 - c. If the portable cooking device has a smoke stack the stack shall be a minimum of five feet (5') from any combustible material.
 - d. All compressed gas cylinders shall be secured by an approved method, including chained to a stable structure or item, to prevent tipping-over and damaging its stem and/or regulator.
3. Electrical cords.
 - a. All electrical cords shall be U/L Approved.
 - b. All electrical cords shall be covered to prevent a tripping hazard.
4. Fire Lanes
A minimum fire lane of twenty five feet (25') shall be maintained at all times
5. Vendor Tents.
 - a. All tents, umbrellas or coverings are required to be weighted to prevent blow down. Each canopy leg must have no less than twenty four pounds (24 lbs.) anchoring. Weights should be secured in a manner that does not create its own safety hazard or cause a tripping hazard. The weights should: be tethered with lines that are clearly visible, have soft edges (to avoid causing cuts and scrapes), be securely attached, and be on the ground (and not above people's heads).
 - b. Tent poles in walkways shall have red or florescent tape applied in order to prevent tripping hazards.

APPENDIX 4

FARMERS MARKET PENALTIES

The purpose of penalties imposed upon those who do not conform with Market Policies is to encourage communication between Market Vendors and the Market Manager and to correct the activity so that the Market Vendor, where possible, can continue to sell goods within the Market.

Nothing related to Farmers Market penalties shall affect, in any way, other laws and/or regulations with which Market Vendors must comply (e.g., health, tax, police, fire, etc.).

Upon receipt of any penalty, the Market Vendor shall be required to communicate with the Market Manager and/or Arts Director in order to consider ways to change the activity made the basis of the penalty to one that complies with the Market Policies. Where the Market Vendor believes the penalty imposed is based upon inaccurate or incomplete information or would constitute an unfair action if imposed, the Vendor may use the following appeals process.

Note: No Market Vendor will be allowed to participate in the Market after receiving any penalty until after the Market Vendor communicates with the Market Manager and/or Arts Director.

Any aggrieved Vendor who has been penalized for an alleged violation of the Farmers Market Policies by Market Manager and/or Arts Director may appeal the decision within three (3) business days of violation as follows:

If Vendor has been found in violation of Farmers Market Policies by the Market Manager, said Vendor may appeal the Market Manager's decision to the Arts Director by filing a written contest containing a detailed statement of the alleged violation and a detailed reasoned statement as to why the subject of the violation did not violate the Farmers Market Policies.

If the Arts Director found Vendor in violation of Farmers Market Policies and imposed the Farmers Market penalties, said appeal process as stated above would be forwarded or delivered to the Moscow City Supervisor or designee.

Any decision on the appeal will be rendered within two (2) business days. Vendor can only appeal the alleged violation one (1) time, and the decision rendered by the Arts Director or City Supervisor shall be final.

Consequences of the Penalty:

1. First Penalty. A verbal and written warning shall be given to the Market Vendor and Market Vendor shall meet with the Market Manager to review the deviation from Market Policies and to discuss a change in activities to avoid further deviations;
2. Second Penalty. Prohibition of the Market Vendor from selling goods for at least one (1) Market day (commonly the Market day immediately following receipt of the Second Penalty).
3. Third Penalty. Prohibition from participating in the Market for the balance of the Market Season.

CITY OF MOSCOW, IDAHO
FARMERS MARKET
NOTICE OF PENALTY

1st Penalty

2nd Penalty

3rd Penalty

Date of Penalty: _____

Vendor: _____ Date of Notice to Vendor: _____

Explanation of Infraction (reference to specific Farmers Market Policy): _____

Vendor's response/explanation (optional): _____

USE REVERSE OR OTHER PAPER IF NECESSARY

APPENDIX 5

CONTACT INFORMATION - PERMITS AND LICENSING RESOURCES

Market Manager's email is farmersmarket@ci.moscow.id.us.

Market telephone number is (208) 883-7132.

Arts Director	City of Moscow 206 East Third Street Moscow, ID 83843	(208) 883-7036 kburns@ci.moscow.id.us
Idaho North Central District Health Department (food)	333 East Palouse River Drive Moscow, ID 83843	(208) 882-7506 or (208) 799-3100 www.agri.idaho.gov www.cdhd.idaho.gov/EH/food
Idaho State Tax Commission	800 Park Blvd, Plaza IV Boise, ID 83701	(800) 972-7660 (208) 334-7660 www.tax.idaho.gov
State of Idaho Alcohol Beverage Control	Idaho State Police 700 S. Stratford Dr., Ste. 115 Meridian, ID 83642	(208) 884-7060 www.isp.state.id.us/abc/
Moscow Fire Department	229 Pintail Lane 603 South Main Moscow, ID 83843	(208) 882-2831 jwilliams@ci.moscow.id.us
State of Idaho – Nursery	Plant Industries Division P O Box 790 Boise, ID 83701	(208) 332-8620 www.agri.idaho.gov
State of Idaho – Department of Agriculture (ISDA) Egg handler / dealer	2270 Old Penitentiary Road P O Box 790 Boise, ID 83701-0790	(208) 332-8500 www.agri.idaho.gov www.adm.idaho.gov/adminrules
State of Idaho – Department of Agriculture (ISDA) Organic	2270 Old Penitentiary Road P O Box 790 Boise, ID 83701-0790	(208) 332-8673 www.idahoag.us/categories
State of Idaho – Department of Agriculture (ISDA) Bedding plants, landscape plants, fresh or cut flowers	2270 Old Penitentiary Road P O Box 790 Boise, ID 83701-0790	(208) 332-8620 www.idahoag.us/categories
State of Idaho – Weights and Measures	P O Box 790 Boise, ID 83701-0790	(208) 332-8620 www.idahoag.us/categories
Idaho State Seed Lab (ISDA) Seeds	2240 Kellogg Lane Boise, ID 83712	(208) 332-8630 www.agri.idaho.gov
Idaho Secretary of State Latah County Court Clerk Business licensing	700 W. Jefferson, Ste. 205 P O Box 83720-0080 Boise, ID 83720	(208) 334-2300 www.secstate@sos.idaho.gov
University of Idaho Latah County Extension Small Farms Educator Iris Mayes	220 E 5 th St., #336 P O Box 8068 Moscow, ID 83843	(208) 883-2267 latah@uidaho.edu www.uidaho.edu/extension
State of Idaho - Department of Agriculture - Dairy Bureau Marv Patten	2270 Old Penitentiary Road P O Box 790 Boise, ID 83701-0790	(208) 332-8550

APPENDIX 6

The following is not an exhaustive list, and is provided for user education purposes.

Miscellaneous information concerning Permits and Licensing for selling at the Moscow Farmers Market:

Bees (Apiary)	Idaho Bee Inspection Program. All Beekeepers are required to register their bees with the Idaho State Department of Agriculture (ISDA) and pay a registration fee as well as a honey advertising tax on each colony of bees. http://www.agri.idaho.gov/Categories/PlantsInsects/Bees/indexapiary.php
Dairy	Selling raw milk; information on small herd exemptions and selling shares of raw milk - Idaho State Department of Agriculture, Dairy Bureau (208) 332-8550 http://www.agri.idaho.gov/Categories/Animals/Dairy/dairyRawMilk.php
Organic	The Idaho State Department of Agriculture’s Organic Certification Program is an accredited certifying agent of the USDA’s National Organic Program. We provide certification services for crops, wild crops, livestock, and handlers/processors. We also provide material registration for manufacturers who produce inputs used in organic production. http://www.agri.idaho.gov/Categories/PlantsInsects/Organic/indexOrganicHome.php
Nursery, Florists and Landscaping	Anyone who engages in, conducts, or carries on the business of propagating, growing, selling, dealing in, or importing into Idaho, for sale or distribution, any nursery or florist stock, or engages in the installation of landscape plants, or acts as an agent, salesman, or solicitor for any nurseryman, florist, landscape contractor, or dealer in nursery or florist stock, must first obtain a license to do so from the Idaho State Department of Agriculture. Pursuant to Idaho Code § 2305(2), sellers with less than \$500 gross annual sales are exempt from licensing. http://www.agri.idaho.gov/Categories/PlantsInsects/Nursery/indexNurseryHome.php
Eggs	It is a requirement under Title 37, Chapter 15 , Idaho Code, "Egg and Egg Products" and IDAPA 02.02.11 "Rules Governing Egg and Egg Products" to comply with the laws and rules if you are a distributor of egg and/or egg products or if you have three hundred (300) or more birds. If an individual has less than three hundred (300) birds , the eggs can be sold without complying with the requirements; however, the eggs must be clean and the container must be labeled with the individual's name, address, phone number, and the words "UNGRADED EGGS".
Poultry	Poultry sales and processing regulations fall under Idaho Health and Welfare, but your local Health Department (Idaho North Central Health District) is your contact for making sure you are in compliance at (208) 882-7506 or (208) 799-3100. http://idahopublichealth.com/79-environmental-health/92-food-protection
Meat	Idaho does not have any State inspected meat processing facilities so all meat sold by the cut at the Farmers Market needs to be processed in a USDA approved facility. Contact your local Health Department at (208) 882-7506 for any food license requirements and additional information on best practices for selling meat in the Market.
Soil and Plant Amendments	Registration with ISDA is required in order to distribute soil or plant amendments in the State of Idaho. http://www.agri.idaho.gov/Categories/PlantsInsects/FFSP/indexFeedFertSPHome.php#soilplant
Weights and Measures	ISDA W&M requires any weighing or measuring instrument or device used for commercial purposes in the State of Idaho to be licensed annually. This includes scales to measure produce at the Market. http://www.agri.idaho.gov/Categories/WeightsMeasures/deviceLicense.php