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**Subject:       RULES FOR THE OPERATION  
                  OF THE MALL GROWER'S MARKET**

**No.   80.4**

**Date:         February 15, 1998**

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**PURPOSE:**

To establish rules for the regulation of business at the market.

**SCOPE:**

Shall govern the conduct of all business at the City Market.

**POLICY:**

1. The available space shall be assigned by the Public Works Manager, or his designee. The same space may not be available to the seller on any given day to events, festivals, concerts, etc. that periodically occur on the Mall. As much advance notice as possible will be given to the sellers when they must be assigned a space that they normally do not use. The seller may elect to not sell on the Mall on any day that he or she is reassigned from their normal selling space. No refunds or proration's of the annual fee will occur for temporary reassignment of space or other reasons
2. Each seller will be provided 3 conference tables by Public Works from which to display their produce. No other display tables of any type will be allowed. All display surfaces must be covered with blue tarpaulins that will be provided by the City. Ground display will be allowed ONLY directly in front of the conference tables and shall not exceed the limit of 12 inches from the lead edge of the table.
3. Each seller shall maintain their selling tables, display area, tarpaulins, etc., in a clean, orderly fashion. Any debris or litter that is generated from a seller's operation must be picked up and deposited in a trash container by the seller. When leaving at the end of the day, the seller must clean the selling area so that no litter or debris remains. The selling area must be swept by hand.
4. Sellers who have rented space on the Mall on a seasonal basis shall be given preference for renting selling space on the Mall for the next season. Preference for the following year does not include the same space (although every effort will be made to place sellers in their same spots from year to year.) This preference shall also be given to the husband, wife, son or daughter of a seller if the seller does not apply. To maintain this preference, an application must be filed with any payment tendered to the City Treasurer before April 16<sup>th</sup> of the year in which the seller desires to rent space on the Mall.
5. Selling space will be allocated based on seniority. Seniority will be based on the number of consecutive years a seller has occupied a space on the mall.

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6. If a seller does not maintain their preference, they will forfeit their seniority rights for space on the Mall.
7. The growers market shall operate from May 20<sup>th</sup>, 1988. The market shall open at 7:00 a.m. and close at 6:00 p.m. The sellers shall have removed their produce, litter, boxes etc., and swept their area by 6:30 p.m. Sellers may elect to sell produce until 9:30 p.m. on Wednesday nights only. In such case, the seller must remain on the Mall until 9:30p.m. and must remove all remaining produce, litter, boxes, etc., and sweep their area by 10:00 p.m.
8. The Mall Growers Market shall operate only on Wednesday and Friday of each week during the season.
9. The seasonal fee for space on the Mall is \$100.00.
10. All items offered for sale on the Mall Grower's Market shall be subject to inspection by a Public Works representative or any other duly authorized official. Any item offered for sale that is found to be unwholesome, unusable, inedible, or otherwise misrepresented shall be barred from sale on the public market. The Public Works Manager, or his designate, may at times deem a particular product or agricultural produce as not appropriate for sale on the Mall. If this is the case, all sellers will be required to conform to the particular ban.
11. No goods or produce which have been rejected or condemned by other markets or authorized officials shall be sold on the market. Sellers shall bear the sole responsibility and liability for any items sold at the market.
12. No rebates shall be paid for unused time on the public market.
13. Sellers on the public market shall sell in quantities as small as reasonably requested by the purchaser.
14. All grade markings or classifications required by the laws of the United States or the State of Michigan shall be in force on the market. Container and labeling laws of the United States and the State of Michigan will also apply. Sellers shall otherwise obey all applicable laws and regulations.
15. Each seller shall be required to post his or her name conspicuously on the front of his or her stall or stand.
16. "Hawking" or the calling out to market customers for the purpose of selling or promoting a seller's produce or product will not be tolerated under any circumstances.

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- 17. All sellers participating on the Mall Grower’s Market must also be a registered seasonal seller at the Bank Street Farmer’s Market.
- 18. The Mall Grower’s Market shall consist of only 6 sellers for any one season. The number may be reduced if deemed appropriate by the Public Works Manager.
- 19. The seller, as well as their display tables must appear neat, clean and orderly at all times.
- 20. Seller may offer for sale agricultural products which are grown or produced on lands operated by the seller or, if the seller lives within the following Michigan Counties:

Allegan	Eaton
Barry	Kalamazoo
Berrien	Ottawa
Branch	St. Joseph
Calhoun	Van Buren
Cass	

Then he or she may also sell produce grown elsewhere.

- 21. Sellers may not have any vehicles of any type on the Mall between the hours of 7:00 a.m. and 6:00 p.m. Vehicles larger than a one tin straight truck shall be prohibited from traveling on the Mall.
- 22. Any damage to the Mall including, but not limited to, cement, brickwork, utility poles, ornamental fixtures, grass, plantings, trees, etc. that is caused by the seller or their operation, shall be the responsibility of the seller. This responsibility shall include, but is not limited to, payment to the City for repairs to such damage including time and material expenses.

**EFFECTIVE DATE:**        February 15, 1988

**SEE ALSO:**

Resolution No. 87-63

**HISTORY:**