



# Merriam Farmers' Market

## Rules and Regulations

The Merriam Farmers' Marketplace welcomes your interest in participating in our farmers' market program. This document contains the information you need to become a vendor at the marketplace. If you have additional questions, please contact the Merriam Parks and Recreation Department at 913-322-5550.

### Our Mission

To provide an accessible, educational and enjoyable experience for area citizens to purchase fresh produce, plants, baked goods, and homemade arts and crafts.

### About the Marketplace

The Merriam Farmers' Marketplace is a "farmers" market. Products for sale shall be home grown in the United States, home baked or hand made. Commercially manufactured products i.e.: Amway, Discovery Toys, Made in China, etc. are not accepted at this venue.

The marketplace is owned by the City of Merriam and operated by the City of Merriam Parks and Recreation Department.

### Site

The farmers' market is housed at the Merriam Marketplace, 5740 Merriam Drive, in downtown Merriam. The covered marketplace has 36 vendor spaces, 120 parking spaces for visitors and restroom facilities. The streamway trail system connects to the marketplace via a bridge on the west side.

### Season Dates/Hours

The Merriam Farmers' Marketplace operates 21 Saturdays beginning the first Saturday in May through the last Saturday in September. (No market Saturday, September 14, 2024 due to the Turkey Creek Car and Motorcycle Show.) The market is open from **7:00 a.m. - 1:00 p.m.**

### Fees

**Full season vendors:** \$19.05 per day for a total of **\$400** per stall.

**Daily Vendors:** \$25.00 per day per stall.

**Daily Concessions Vendor:** \$18.00 per day per stall.

**2024**  
**SATURDAYS**  
May 4 – September 28  
7am-1pm

**RETURNING**  
**VENDOR**  
**APPLICATION**  
**DEADLINE**  
February 16

**NEW VENDOR**  
**APPLICATION**  
First come, first  
served basis and  
reviewed on  
February 21

**BALANCES MUST**  
**BE PAID IN FULL BY**  
March 15



## How the Marketplace Works

- The marketplace shelter is lighted. Each vendor space has access to two (2) 110-volt outlets.
- Vendors must supply their own tables and any equipment necessary for the operation of their business.
- Vendors may purchase a maximum of two (2) stalls per vendor/company.
- No gas-powered equipment may be used at this marketplace. This includes gasoline, propane, natural gas, etc.
- The 36 available spaces correlate to the numbers on the parking space. Each vendor booth consists of the parking space to the middle walkway within the Marketplace Parking lot lines extended. (Approximately 8' X 10') All produce/product must be kept within the confines of the designated space.
- All vendors are responsible for protecting their neighboring booths from any residuals from their own booths and may not impede shopper traffic.
- Full season vendors are pre-assigned booth space.
- Daily vendors must complete the online application then wait to be assigned by the Recreation Coordinator the week before the market date they are wanting to come. Cash payment will be collected on Saturday morning with the Farmers' Market Attendant.
- Spaces can be resold but only to vendors on the approved vendor list after approval by the market manager. Approved vendor listing requires a completed application and tax id number. Those vendors then must reapply on a first come first served basis the following year.
- Vendors will be required to follow all State of Kansas Farmers Markets regulations, which include but are not limited to those published in Seasonal Open-air Market Rules and Regulations



## Produce/Product Regulations

The City of Merriam Farmers' Market Regulations are in compliance with the Kansas Department of Agriculture Food Safety Regulations ([www.bookstore.ksre.ksu.edu/pubs/MF3138.pdf](http://www.bookstore.ksre.ksu.edu/pubs/MF3138.pdf)). Only the following non-potentially hazardous produce/products are permitted to be sold at the Merriam Farmers' Marketplace: baked goods such as cookies, breads, cakes, cinnamon rolls and fruit pies, fresh fruits and vegetables, nuts and honey, jams and jellies, eggs, frozen meats and poultry, pre-packaged items such as popcorn, dried pasta.

Live plants may be sold by vendors who have obtained a Kansas Live Plant Dealer License.

Information can be obtained at KS Dept. of Agriculture at **785-296-2263**.

Frozen meat or meat products, seafood, and poultry are permitted when they are from an inspected source, properly labeled and maintained frozen. \*Inspection Certificate shall be displayed at all times during market hours of operation.

Vendors are required to supply and post signage with vendor name, city and address. The signs shall be at least 8.5 x 11 in size. All items being sold are required to have a sign, listing products and prices. If the product was obtained from another grower, the source of the product shall be listed. IE: Peaches from St. Joseph, MO. \$XX.XX.

**If selling cooked foods, you must have your State of Kansas Food Service License on location and in view at all times (ie: mustard, salsa, food concessions).**

Exemptions: cookies, bread, cakes, honey, jams, & jellies. Packaged products must be labeled w/common name, vendor name & address.

Pre-packaged food items, such as pasta, popcorn, etc. may be sold at the marketplace. Packaged products must be labeled with common name, vendor name & address.

**Sale of animals, fresh meat, fresh poultry and fresh fish is prohibited.**



## Imports

No produce may be imported from outside the United States and all produce is subject to all state/federal regulations.

## Produce Scales

All scales used for product resale must be certified by the state of Kansas. Normally, a sticker is given out by the company who does the scale certification.

## Sampling

Vendors who wish to serve samples must be certified by taking an online Employee Servsafe course at their expense. [www.ServSafe.com](http://www.ServSafe.com) Samples must be individually portioned. No “help yourself”.

## Food & Drink Concessions

The City does consider the operation of concessions as a regular vendor booth and will not regulate prices of approved vendor. If selling cooked foods, you must have your State of Kansas Food Service License on location and in view at all times. Contact the Parks and Recreation Department at **322-5550** to see if food & drink vendors are needed.

## Arts & Crafts

Crafts must be hand crafted by the vendor from individual materials. Products not permitted include: those made from kit assembly, direct resale of commercially available products (including hand decorated commercially prepared clothing). Reformulating or repackaging of commercially prepared products or bases must demonstrate significant added value.

Craft items may be subject to jury by market manager before being approval for sale. This includes vendors who only sell crafts, as well as farmers who sell crafts in addition to farm products. The focus of the juror is to ensure market success as well as quality, diversity and appropriateness of products sold.

## Sales & Weather

There is no guarantee of sales. There are no cancellations of the market, this is a covered facility and the market occurs rain or shine. **Individual vendor prices are not regulated by the City.**

## State of Kansas Sales Tax

Upon registration, all vendors will be given State of Kansas Sales Tax information to comply with the state department of revenue guidelines. It is the vendor’s responsibility to collect and remit sales tax in accordance with these guidelines.

## Arrival

Vendors must be ready to conduct business by **7:00a.m.** The Farmers Market Supervisor arrives at 6:00am to prepare the facility for the day. Vendors may start their set up as early as **6:00a.m.** on market day and must be in place by **6:30a.m.** Vendors may start setting up earlier than **6:00a.m.** at their own risk. Late arrivals will be allowed to set up with prior approval from the Market Manager.

## Departure

All vendors are encouraged to stay until 1:00 p.m. Vendors may leave early if sold out, as long as they check out with the Market Supervisor. Vendors may stay longer than normal working hours at their own risk, if there are no scheduled rentals at the Marketplace. Vendors are responsible for removing all trash, including boxes and placing in dumpster provided on site. Booths must be cleaned up before vendors leave the market.

## Storage

There is no storage available.

## Overnight

Overnight parking is not permitted.

## Restrooms & Drinking Fountains

There are permanent restroom facilities and a drinking fountain on site for public use.

## No Smoking

Smoking or chew products are prohibited under the pavilion roof.

## Social Media

The Merriam Farmers' Market is on Facebook. Vendors are encouraged to like the page and share the posts on their sites.

## Safety

The Marketplace Attendant is the safety officer on the site. His/her word is final.

## Disputes

The Marketplace Attendants' decisions are final for on-site disputes. Appeals or complaints must be submitted in writing within 14 days of incident to the Market Manager and action will be taken within 14 days of being received.

## Dress Code

Vendors shall wear clothing that is "clean and without holes" while selling at the market.

## General Liability Insurance

Vendors selling any product susceptible to salmonella poisoning, such as salsas, retail food/food related and concession categories must provide and continuously maintain proof of general liability insurance against damage or liability caused by the permit holder, its officers, members, agents, employees, guests, invitees and participants throughout the term of the farmers' market season in an amount of not less than \$500,000 combined single limit per occurrence for bodily injury and property damage, with an aggregate limit on not less than \$1,000,000. **The City of Merriam must be listed as additionally insured.**

## No Shows/Absences

Vendors who will be absent on market day are requested to notify the market manager by phone by Friday afternoon at 3:00 p.m. The Market Manager will contact said vendors after two weeks of absence to verify that vendor will be present the following Saturday. If, for three weeks in a row a vendor is a no show or no call by 3:00 p.m. on Friday afternoon or on Saturday by 6:30 a.m., their space will be considered abandoned and will be resold or used for daily sellers.

## Non-compliance by Vendors

Any vendor violating the established rules and regulations, or constituting a nuisance may be asked to leave for the day. Vendors who are asked to leave three (3) times for not following rules will forfeit their vendor space and fees will not be refunded.

## Acceptance of Vendors

The City of Merriam welcomes all vendor applications and will not discriminate on the basis of age, race, religion, color, sex, sexual orientation, national origin or ancestry, gender identity, disability, military status, genetic information, marital status or familial status.

The City reserves the right to reject applications from vendors with a past history of noncompliance or impertinence with Merriam Farmers' Market rules and regulations.

Any current or past vendor wishing to sell or work at the market must be approved by Marketplace staff prior to participating in the market.

For further information regarding the Merriam Farmers' Market, contact the Parks and Recreation Department at **913-322-5550**.