



# City of Fredericksburg Farmers Market 2023 Vendor Information Packet

Under the provisions of the City Code, Section 66-148, the Department of Parks, Recreation and Events is authorized and directed to administer the Farmers Market and to establish hours and rules for its operation. One or more Market Manager(s) shall be responsible for administering the ongoing operation of the Market.

The following rules and regulations supersede any previously issued criteria and shall be effective January 1, 2023.

## **Role of the Market Manager**

The Fredericksburg Farmers Market will be managed by a Market Manager or Managers. The final authority for any recommendations, actions or approvals will remain the responsibility of the Director of Parks, Recreation and Events.

The Market Manager, or their agent, has the authority to:

1. Approve or deny vendor applications for the Fredericksburg Farmers Market.
2. Enforce the rules of the Farmers Market, to include a recommendation of revocation of a vendor's permit.
3. Inspect and verify the operations of any vendor to ensure Market rules are being followed. This would include verification of facilities where products are grown or prepared.

The Market Manager(s), or other designated City of Fredericksburg Employee, will be present and complete duties associated with the functionality of the market on Saturdays from 7am – 1pm, during the “Managed Market” Season. During the “Unmanaged Market” Season, the Market Manager will be available as deemed necessary by the Superintendent of Recreation and Director of Parks, Recreation and Events.

## **Farmers Market Dates and Locations**

The Fredericksburg Farmers Market shall be held at Hurkamp Park (500 William St, Fredericksburg, VA 22401). This Farmers Market is open year-round, schedule, availability, and fees varies per season. Sales shall occur on Prince Edward and George Streets only, with other locations on William Street and around/within Hurkamp Park as approved by the Market Manager, Superintendent of Recreation or Director of Parks, Recreation and Events.

## **The Market Seasons are as follows:**

- Managed Market – April 15, 2023 – October 28, 2023
- Extended Season – November 4, 2023 – December 2, 2023 (no market on Saturday, November 25)
- Weekday Market – February 1, 2023 through January 31, 2024

Fees for all markets are listed starting on pg. 7 of this packet.

## General Rules and Policies

The following rules apply to all vendors at the Fredericksburg Farmers Market. Failure to comply with the Market Rules may result in suspension and/or removal from the Market.

1. **All vendors must have a permit in order to setup at the Farmers Market any time during the year.** The Farmers Market year runs from April through to the following March. Managers are present during the “Managed Market” Season and intermittently at other times.
2. **Farmers and other vendors shall apply to the Farmers Market at FXBGParks.com.** Applications shall be completed as directed. Fees shall be paid electronically through the FXBGParks.com website or in-person or mail at the Dorothy Hart Community Center (408 Canal Street, Fredericksburg, VA 22401). The following information is required, where indicated, to be shown on the application:
  - a. Product to be sold with photos
  - b. Photos of booth set-up
  - c. Sales Tax ID Number
  - d. Business License
3. **All vendors are REQUIRED to participate in the Market Token Program.** This program allows SNAP (Supplemental Nutrition Assistance Program) customers to use their federal nutrition benefits at the Market by exchanging dollar values from their EBT (Electronic Benefits Transfer) card for tokens that can be used to make qualifying purchases. It is important that all vendors understand what items qualify for SNAP benefits, and adhere to the rules of this program. Vendors who do not follow the rules may be suspended from the Market.
4. **All Vendors are REQUIRED to collect and remit sales tax to the Virginia Department of Taxation.** Sales tax identification numbers are available from the Virginia Department of Taxation. Registration and forms are available at <https://www.business.tax.virginia.gov/VTOL/tax/Login.xhtml>.
5. **If a vendor is selling single serve items for immediate consumption it is REQUIRED by the City of Fredericksburg for that said vendor to collect and remit a meal tax.** Whole pies, cakes and similar items do not require the collection of the meal tax. Questions about obtaining a business license should be directed to the Office of the Commissioner of the Revenue (phone: 540-372-1004) Information about the meals tax is location online at: <https://www.fredericksburgva.gov/faq.aspx?qid=335>
6. **The City of Fredericksburg REQUIRES all vendors selling baked goods to obtain a Business License from the Office of the Commissioner of Revenue.** Questions about the Meals Tax should be directed to the Office of the Commissioner of the Revenue (phone: 540-372-1004). Info on how to obtain a business license can be found at: <https://www.fredericksburgva.gov/302/Business-License>.
7. **The City of Fredericksburg REQUIRES all vendors who cook onsite to have a Fire Permit from the local Fire Marshal Office or State Fire Marshal’s office.**
  - a. **Any vendor who intends to cook food under a tent** will need to obtain a permit. They also need to contact the Fire Marshal’s office ahead of time. For cooking tents, the inspection will be conducted onsite prior to the start of the Market.
  - b. **All mobile trucks** using propane or producing grease laden vapors in their cooking process must obtain an inspection and an operational permit *from the locality in which they pay personal property taxes on their mobile food unit, or from the State Fire Marshal’s Office*. Operators of these vehicles must produce documentation that they have been inspected and permitted within the last year, by their local fire Marshal’s Office or the State Fire Marshal’s office. This

documentation must be submitted with Vendor application and emailed to:  
[agower@fd.fredericksburgva.gov](mailto:agower@fd.fredericksburgva.gov).

8. **Vendors who prepare/cook food onsite at the Market** and fall outside the Memorandum of Understanding (MOU) between the VDH and VDACS are **REQUIRED** to have a Temporary Food Establishment Permit. Information can be found at the following:  
<https://www.vdh.virginia.gov/environmental-health/food-safety-in-virginia/tfe/>.
9. **It is expected that Vendors attend and be ready to sell by 7am every Saturday of the Managed Market.** Written notice needs to be sent by email to the Manager no later than 24-hours prior to the Market start time, if a vendor is unable to attend a Saturday Market. If a vendor is running late, it is requested that they notify the Market Manager via text, phone call or email as soon as they are aware they will be late. After two absences or tardies a written warning will be sent. At that time, the vendors assigned space may be reassigned to another vendor. If a vendor is absent or tardy more than 4 weeks, they will be suspended from the market. No fees shall be refunded.
10. **During the Managed Market Season, Saturday vendors are expected to bring sufficient product to remain at the Market with product available for sale from the opening of the Market at 7am, to the close of Market at 1pm.** Vendors that consistently run out of product prior to the close of the market, will be asked to bring more product or to leave the market.
11. **All Vendors shall have an appropriate trash receptacle at their site.** No Vendor shall place produce or other for-sale items in the trash cans within or nearby the market area. Excess produce, other for-sale items, or other vendor disposables must be removed from the Market area by the vendor and disposed of elsewhere. The Market area shall be randomly inspected for cleanliness. Any excessive produce or trash noticed or brought to the attention of the Market Manager shall be reviewed as to its origin and may result in further action for rule violation, if applicable.
12. **Vendors using tents/canopies are required to anchor their tents/canopies with a 40lb. tent weight on each leg of each tent AT ALL TIMES.**
13. **Vendors will supply their own tents, tables, chairs, Class III calibrated scales, etc.**
14. **Vendors exhibiting disrespectful treatment of City of Fredericksburg staff or volunteers** may be asked to leave the market, be suspended for an appropriate time period, and/or have their vendor permit withdrawn for the remainder of the season. This is at the discretion of the Farmers Market Manager, Superintendent of Recreation or Director of Parks, Recreation and Events.
15. **Vendors will not discriminate** against any employee or customer because of race, religion, color, sex, national origin, age, sexual orientation, disability, or other basis prohibited by state and/or Federal law or regulation.

### **Approved Products**

1. Items generally acceptable for the Farmers Market shall be vendor-produced and include locally derived produce and other farm related products (eggs, honey, meats, flowers, cheese, dairy products, etc.), bakery goods, seafood, and other human food type products or items personally created by the vendor from natural (plant and/or animal) materials and as authorized by the Parks, Recreation & Events Department (see below). Market Managers have authority and discretion to approve and disapprove specific vendor items proposed to be offered.
  - a. The sale of art or craft items is prohibited, except when approved for a special event held at the same time and location as the Farmers Market.

- b. Commercially manufactured food items or other items obtained from commercial or wholesale sources and offered for resale are prohibited; exceptions include derivative items of an established farming operation approved by the Market Manager (e.g.: items derived from wool and wool products sent by the farming operation for additional workmanship). This does not preclude the direct sale of items by the commercial preparer or their documented representative and as approved. Note: Commercially prepared food is mass produced food in a kitchen, restaurant, or factory, for the purpose of selling the food for profit.
  - c. Vendors shall display the sale price of each item being sold.
- 2. All non-edible farm related products will consist of at least 60% of vendor-produced components, and the remaining 40% will not exceed the value of the vendor-produced parts.
- 3. All products offered for sale must be primarily grown, produced, assembled, or created by the vendor or with direct vendor input from within 75-miles of the Market. In special cases, where a product is unique to the Market, this may be waived by the Market Manager. In no case, will any products be purchased outside of the vendor's personal farming or assembly interests and offered for resale except under the conditions listed below:
  - a. No less than 75% of the vendor's products shall be grown, produced, assembled, or created by the vendor within a 75-mile radius of the Market.
  - b. No more than 25% of the vendor's products shall be resale farm related items and may be grown, produced, assembled, or created outside of the 75-mile radius of the Market, but must meet at least one of the following criteria:
    - i. Products must immediately originate from an existing farm or farm-type operation, verifiable by the Market Manager. Product type not shown on the original application must be declared to and approved by the Market Manager at least one week prior to sale.
    - ii. Products must be clearly labeled or advertised as "Not locally grown" or "Not locally produced" and must identify the farm or producer of origin. If a vendor purchases a product and the farm or producer of origin is unknown, the vendor must label the product with the name and location of the last producer or the state where the product originated.
    - iii. If a product is obtained from a Virginia farm, the vendor may label the product with either the farm of origin or the county of origin.
    - iv. Consumers or vendors may submit a written complaint to the Market Manager if there is a dispute about a particular vendor following the 75%-25% resale rule. The Market Manager will review the complaint, including a site review of the operation, and determine if there is merit to the complaint. Each offence may require a follow-up review. Infractions shall include:
      - 1. First Offence - a warning letter prohibiting the sale of the item for the remainder of the season
      - 2. Second Offense – Prohibit the sale of the item for the remainder of the season
      - 3. Third Offense – Removal from the market.
- 4. All products sold, marked, labeled, or offered for sale as "Organic" must meet the USDA established organic standards in Title 7, Part 205 of the US Code of Federal Regulations. This does not prohibit advertising as grown "chemical free," "natural," or other similar designation.

5. Any baked, canned, or other prepared foods must be prepared by the vendor in the home of the vendor and/or in an inspected kitchen and must comply with all applicable rules and regulations required by the Food Inspection Service of the Virginia Department of Agriculture and Consumer Services (VDACS), or any department or division thereof, and the United States Department of Agriculture. To obtain an approved kitchen inspection report, contact the Virginia Department of Agriculture and Consumers Services (VDACS) Office of Food and Safety and Security (Phone: 804-786-3520).
  - a. If a vendor chooses not to obtain an approved kitchen inspection or not use such approved kitchen, that vendor may only process, prepare and sell food products exempted by VDACS and only if these products are sold to an individual for their own consumption (not for resale) and labeled: "NOT FOR RESALE –PROCESSED AND PREPARED WITHOUT STATE INSPECTION."
  - b. Labeling shall also include the name of product, known allergens, name and address of the manufacturer, distributor, or packer, net weight statement, an ingredient statement and nutritional information, if applicable and according to State and Federal regulations. See VDACS example: <http://www.vdacs.virginia.gov/vafinest.com/pdf/requirements.pdf>.
  - c. Exempted products include:
    - i. Candies, jams and jellies not considered to be low-acid or acidified low-acid products and baked goods that do not require time or temperature control for safety and are produced in a private home, also including the following additional products produced in a private home: dried fruits, dry herbs, dry seasonings, dry mixtures, coated and uncoated nuts, vinegars and flavored vinegars, popcorn, popcorn balls, cotton candy, dried pasta, dry baking mixes, roasted coffee, dried tea, cereals, trail mixes and granola.
    - ii. Pickles and other acidified vegetables processed in a private home so that an equilibrium pH of 4.6 or lower is achieved (acidified vegetable products include pickled products, salsa, chow-chow, relishes and similar vegetables that are processed in a private home to achieve an equilibrium pH of 4.6 or lower),
    - iii. Baked goods that do not require temperature control after preparation, including cream pies.
6. Products that require temperature control must comply with all applicable rules and regulations required by the Food Inspection Service of the Virginia Department of Agriculture and Consumer Services, or any department or division thereof, and the United States Department of Agriculture.
7. Vendors receiving a notification (orally or by writing) of a VDACS violation to comply with the regulation must immediately notify the Market Manager and will have no more than 30 days or the period prescribed by the violation notice, if less than 30 days, to correct the issue for purposes of selling in the Market. Vendors who fail to comply will be removed from the Market.
8. Vendors of prepared food products are allowed to purchase the main ingredients for those products (such as flour for bread), but local products must be used if available at any time during the season (such as peaches for peach jam, blueberries for muffins, etc.)

### **Space Assignments**

Market spaces are available for "Saturday" Markets and "Weekday" Markets as "RESERVED" and "DAILY."

- Reserved Spaces – assigned from the beginning of the Market year in April until the following March. These spaces must be paid in-full to be guaranteed, and vendors must pay for the entire Market Season.

- Daily Spaces – assigned on a first-come, first-served basis as spaces are available. These spaces are for bi-weekly vendors or one-time vendors. They will be assigned by the Market Manager depending on what spaces are available during Market days.

**If a Vendor abandons a “Reserved Space” either by notification to the Market Manager or as a result of any violation, such as absences or rule violations, a written warning will be issued and the space may be reassigned to another vendor. Space fees shall not be refunded. Payment for spaces is due at the time the space is assigned. No vendor will be assigned space if not in good financial standing with the City of Fredericksburg.**

Generally, reserved vendors with two or more spaces are permitted to park vehicles at the space where the sales occur, as long as the vehicle and vendor set-up fit into the designated space. **VENDORS WITH ONLY ONE SPACE ARE NOT PERMITTED TO PARK VEHICLES AT THE SPACE WHERE THE SALES OCCUR.** Market spaces do not correspond with street parking. No Vendor’s vehicle(s) may be parked outside of the established Market set-up or sales hours for the intention of saving a “Daily Space” for the vendor to use at the Market. If this occurs, the vendor may be refused a space in the Market.

- 1. Space assignments will be determined by the Market Manager.** Reserved space assignments will be determined by: previous season assignment, product diversity, vendor needs for more than one contiguous space, benefit to optimum and orderly use of available space, and what layout may enhance attendance at the Market as a whole.
- 2. In the case of Special Events, vendors may be reassigned to a different space or asked to remove their vehicles from the immediate are of the sales location.** Staff will attempt to provide vendors with a formal notice of any upcoming special events that would require changes to space assignments or vehicle relocation at least 5 business days before Market day.
- 3. Vendors must obtain approval from the Market Manager before making any change to space assignments.** This includes exchanging places with other vendors whom mutually agree to changes.
- 4. Vendors are required to notify the Market Manager of any known or extended absences at least 2-weeks prior.** More than 2 absences from the Market could result in the forfeiture of any reserved spaces and any fees paid for the remainder of the season.
- 5. If Vendors are late to the Market (arriving after 7am) or an absence is known the Market Manager, may reassign reserved or daily spaces to visitors or other vendors for that Market Day.**

**Space Locations:**

- **Hurkamp Park (500 William St, Fredericksburg, VA 22401)** - Prince Edward Street will be closed for all Saturday Markets from April 15, 2023 through October 28, 2023, except for dates specified by City officials.
  - **Prince Edward Street** – Marked spaces are 12 feet wide and approximately 20 feet deep. They extend from the curb to the center of the street (Prince Edward Street). The other half of Prince Edward Street **MUST** remain clear and accessible to emergency vehicles.
  - **George Street** – Spaces are 12 feet wide and approximately 10 feet deep, extending from the curb to the edge of the planted/grass area of the sidewalk.
  - **Spaces within Hurkamp Park and on William Street**– Available at the discretion of the Market Manager.

- Vendors reserving space within the Market area (12 feet wide by 12 feet deep), shall **NOT** have drive-up access to the space or parking available next to the space.

**Fees**

There shall be an application fee of \$25.00 per vendor. This fee must be paid prior to vendor approval and is non-refundable regardless of approval status. Payment must be submitted at the time of application. Applications can be found at FXBGParks.com.

**Vendors not paying the application fee shall NOT be approved.** All approved vendors will be invoiced for their space fees. Payments for space fees are due before the Vendor will be assigned their space.

Space fees vary according to:

- Season
- Weekday or Saturday Market
- Number of Contiguous Space
- Location within the Market

**FEES FOR SPACES ARE AS FOLLOWS:**

**Saturday Reserved Spaces:**

**Prince Edward Street Spaces**

	Annual	Bi-Weekly (2 <sup>nd</sup> & 4 <sup>th</sup> Saturday)	Daily
One Space (12 Feet)	\$250	\$150	\$20
2 Contiguous Spaces (24 feet)	\$425	\$225	\$27
3 Contiguous Spaces (36 feet)	\$600	\$315	\$35

**George Street Spaces:**

	Annual	Bi-Weekly (2 <sup>nd</sup> & 4 <sup>th</sup> Saturday)	Daily
One Space (12 Feet)	\$200	\$125	\$15
2 Contiguous Spaces (24 feet)	\$325	\$175	\$20
3 Contiguous Spaces (36 feet)	\$450	\$250	\$25
4 Contiguous Spaces (48 feet)	\$575	\$325	\$35

**Within Hurkamp Park (only available the 2<sup>nd</sup> and 4<sup>th</sup> Saturday)**

	Annual	Bi-Weekly (2 <sup>nd</sup> & 4 <sup>th</sup> Saturday)	Daily
One Space (12 Feet)	n/a	\$125	\$15
2 Contiguous Spaces (24 feet)	n/a	\$185	\$20

**Weekday Spaces:**

- These space are assigned on a first-come, first-served basis.

- Spaces are only allowed on Prince Edward Street. There are **NO** spaces on George Street, William Street or within Hurkamp Park.
- Vendors must display the approved permit in their space and adhere to Market Rules at all times.
- Vendors can choose one-day per week (Monday through Friday) to set up, or multiple days per week. Permits are good for the entire Market year, April 2023 through March 2024.
  - Vendors must designate which day(s) of the week they will be setting up and may **NOT** sell on other days.

	<b>Single Week Day (M, T, W, Th, or F)</b>	<b>Whole Weekday Market (Monday through Friday)</b>	<b>Daily (1 time only)</b>
<b>One Space (12 Feet)</b>	<b>\$125/ day</b>	<b>\$500</b>	<b>\$20</b>
<b>2 Contiguous Spaces (24 feet)</b>	<b>\$200/day</b>	<b>\$600</b>	<b>\$25</b>
<b>3 Contiguous Spaces (36 feet)</b>	<b>\$300/day</b>	<b>\$700</b>	<b>\$30</b>

**Extended Saturday Market (November 4 – December 2, 2023)**

- These spaces are assigned on a first-come, first-served basis.
- Spaces are only allowed on Prince Edward Street. There are **NO** spaces on George Street, William Street or within Hurkamp Park.
- Vendors must display the approved permit in their space and adhere to Market Rules at all times.
- There will be **NO** market Saturday, November 25.

	<b>Entire Extended Season</b>	<b>Per Saturday</b>
<b>One Space (12 Feet)</b>	<b>\$70</b>	<b>\$20</b>
<b>2 Contiguous Spaces (24 feet)</b>	<b>\$90</b>	<b>\$25</b>
<b>3 Contiguous Spaces (36 feet)</b>	<b>\$110</b>	<b>\$30</b>

**Non- Profit (501c3) Organizations:**

- The application fee is waived for Non-Profit vendors upon proof of 501c3 status.
- Non-profit organizations are only allowed 1 FREE Market Space per month, and are only allowed the 2<sup>nd</sup> and 4<sup>th</sup> Saturday of the Managed Market season.
- Non-profit organizations must adhere to the same rules as regular Market Vendors and are responsible for supplying their own tent, chairs, tables and other equipment as needed.
- Non-profit vendors will be only offered spaces within Hurkamp Park, unless vendor space on Prince Edward or George become available.
- If Non-profit vendors required more than their 1-FREE Market space or would like to attend the market more than once per month, the fees listed below will apply to the additional spaces needed.
- If a non-profit vendor is selling any items, memberships or fundraising, the following fees will apply.

	<b>Bi-Weekly (2<sup>nd</sup> &amp; 4<sup>th</sup> Saturday)</b>	<b>Daily</b>
<b>One Space (12 Feet)</b>	<b>\$50</b>	<b>\$10</b>
<b>2 Contiguous Spaces (24 feet)</b>	<b>\$75</b>	<b>\$15</b>
<b>3 Contiguous Spaces (36 feet)</b>	<b>\$100</b>	<b>\$20</b>



**Special Market Days: (more to be announced)**

Kid’s Market	Saturday, June 3
Community Day	Saturday, September 9
Dog Dayz	Saturday, August 12
Mistletoe Market	Saturday, December 2

**Guest Musicians**

Itinerant guest musician who wish to perform at the market shall be limited to no more than (2) unique artists per day, from the hours of 9am – Noon. Musical guest will only be allowed at the Saturday Market, during the “Managed Market” Season from April 15 through October 28. Guest musicians are approved or denied at the discretion of the Market Manager. Applications can be found at FXBGParks.com and must be submitted to the Market Manager by mail or email at least 2 weeks before the desired performance date.

**By Mail:** Market Manager  
Parks, Recreation and Events Department  
408 Canal Street  
Fredericksburg, VA 22401

**By Email:** [marketmanager@fredericksburgva.gov](mailto:marketmanager@fredericksburgva.gov)