



2021
West Lafayette
Farmers Market
Vendor
Guidelines/Contract

2021 WLFM Guidelines

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***** COVID-19 *****

With the continuing COVID-19 pandemic, please note, Market protocols are subject to change depending on Tippecanoe County's pandemic status. Any changes will be communicated as soon as possible.

1 VENDOR APPLICATION PROCEDURE:

1. Read the West Lafayette Farmers Market (WLFM) Guidelines
2. Agree to abide by these guidelines and all applicable Federal, State and Local Laws and ordinances
3. The attached application form can be submitted either:
 - a. Online:
 - i. Visit: [Catalog - City of West Lafayette Parks & Recreation \(rec1.com\)](https://secure.rec.1.com/IN/west-lafayette-in-parks-and-recreation/catalog) or <https://secure.rec.1.com/IN/west-lafayette-in-parks-and-recreation/catalog>
 - ii. Select "Special Interest" tab
 - b. Mail: 222 N Chauncey Ave, West Lafayette, IN, 47906
 - c. Email: wlfm@westlafayette.in.gov
 - d. In person: 222 N Chauncey Ave, West Lafayette, IN, 47906
4. You will be notified of the decision by Market Management
5. Payment must accompany vendor application at the time of submission. Forms of payment accepted: Credit/Debit Card, Check (payable to City of West Lafayette) or Cash. Any form of card payment must be made online, or in person, at Mangerum City Hall, 222 N Chauncey Ave, West Lafayette, IN 47906.

2 MARKET ADMINISTRATION/CONTACTS:

Market Manager
Cumberland Park
3065 N Salisbury St
West Lafayette, IN 47906
wlaf.farmersmarket@gmail.com

Lauren Hagen, Environmentalist
Tippecanoe County Health Department
20 N 3rd St
Lafayette, IN 47901
Office: (765) 423-9221 (Ext. 3)
lhagen@tippecanoe.in.gov

West Lafayette Department of Development
222 N Chauncey Ave
West Lafayette, IN 47906
(765) 775-5160

West Lafayette Parks and Recreation
222 N Chauncey Ave
West Lafayette, IN 47906
(765) 775-5110
ckolb@westlafayette.in.gov

For more Market information, please visit:
www.westlafayette.in.gov/farmersmarket
www.facebook.com/westlafayettefarmersmarket

3 MARKET LOCATION AND SCHEDULE

- The WLFM is located off Salisbury Street in the north parking lot at Cumberland Park, West Lafayette, IN.
- The market opens on Wednesdays from May through October with an additional market day held the Wednesday before Thanksgiving. When open, market hours are from 3:30 pm until 7:00 pm.
- If a market day must be cancelled due to inclement weather, or other emergency, vendors will be contacted as soon as possible.
- Market Administration reserves the right to alter the market schedule if conflicts regarding the use of the market site develop.

4 VENDOR TYPES AND REQUIREMENTS:

Grown/Collected Goods Vendor: Includes, but is not limited to fruits, vegetables, dried and fresh herbs, spices, seeds, cultured mushrooms, plants, flowers, potpourri, honey, maple syrup, eggs, un-popped popcorn, flour, and ground grains are permitted for sale.

- Seventy percent (75%) of these goods must be local and vendor produced. Local is defined as produced within a 100-mile radius of the WLFM.
- Container plants must either be vendor propagated or grown to maturity for a minimum of six weeks.

Grown/Processed Goods Vendor: Processed food items made from items grown/processed by the vendor, including but not limited to baked goods, spices, jams, jellies, frozen fruits, relishes, cider, dried fruits and vegetables, salsa, frozen/preserved meat (beef, pork, poultry, rabbit, goat, lamb, or other meats), and dairy products, are permitted for sale.

- 75% of any processed good by volume must be local and vendor produced as defined above.

Grown/Crafted Goods Vendor: Items grown and crafted into a product such as natural beeswax, items composed of wax from the vendor's apiary, including candles, may be sold.

- Seventy percent (75%) of these goods must be local and vendor produced. Local is defined as produced within a 100-mile radius of the WLFM.

Prepared Food Vendor: Preparing and selling food at the Market is permitted but prior approval must be given by the Market Manager.

- Preference will be given to items that are local, vendor produced and original in character.
- Franchise or corporate produced items are typically not considered appropriate.
- Vendors may be required to submit the recipe/ingredient list for processed food items to the Market Manager for verification that it meets these guidelines.

Market Wine Vendor: A licensed Indiana winery (referred to as a Market Wine Vendor) may sell wines it has produced in the State of Indiana (regardless of source of raw materials). "Produced in

the State of Indiana" shall mean that the wine was fermented and bottled within the boundaries of the State of Indiana.

- Market Wine Vendors must obtain the necessary permits and/or licenses from the State of Indiana to sell wines and follow all rules, ordinances, regulations, and laws of the City of West Lafayette and the State of Indiana.
- Market Wine Vendors also must maintain a Certificate of General Liability Insurance that names the City of West Lafayette and the West Lafayette Board of Parks and Recreation as additional insured. Said policy shall have limits of:
 - Each Occurrence \$1,000,000
 - Products/Completed Operations Aggregate \$2,000,000
 - General Aggregate (other than Prod/Comp Ops Liability) \$2,000,000
 - Personal & Advertising Injury Liability \$1,000,000
- Market Wine Vendors may provide wine samples at the Market, shall not serve wine to any member of the public who appears to be intoxicated, and shall not allow any member of the public to become intoxicated through their provision of wine.

Arts and Crafts Vendor:

- All items must be original and handcrafted by the vendor.
- To register an item, Arts and Craft Vendors must submit representative sample photos of each different type of art and/or craft item for approval by a jury appointed by the Market Manager. Items approved for sale at the Market in previous years do not need to be reviewed and approved again.
- Items are reviewed for originality, quality, artistic competence, and compliance with the WLFM guidelines.
- All crafts will be juried by market staff.
- Items must be safe, have a reasonable life expectancy, and exhibit quality of craftsmanship;
- Items unacceptable include, but are not limited to, items made from kits or commercial plans, items made from molds not created by the vendor, items in which a commercially made piece is central to the design, and items made in a production studio.

Community and Socio-Political Groups:

- The WLFM allows non-profit organizations and community information groups to have space at the Market in a designated area that will be determined and assigned by the Market Manager. If your organization is interested in participating at the market, please contact the Market Manager (wlaf.farmersmarket@gmail.com).

5 VENDOR ELIGIBILITY & RULES OF OPERATION:

1. Edibles: All items intended for human consumption must comply with current health department (<https://www.tippecanoe.in.gov/363/Farmers-Markets>) standards and regulations.
2. Documentation: Vendors must be able to provide documentation of all necessary permits, licenses, and approvals.
3. Opening sales: On market day, sales are not to begin until the Market opening bell is rung. This

procedure gives all vendors a predictable timeframe for planning and executing set up, maintains a fair competitive environment by opening and closing sales for ALL vendors at the same time, and discourages customers from entering the market area during set up when moving vehicles and equipment create possible safety hazards. Please, do not begin sales before the opening bell.

4. Equipment: Each vendor must supply all required equipment for operating. Electricity may be available but is not guaranteed. If available, service may be intermittent and may be unavailable for extended periods of time. If vendor's equipment is overloading or tripping the electrical service, vendor will be asked to discontinue use of such equipment.
5. Tents: If a tent/shelter is used, weights (minimum 15 lbs. per tent leg) to anchor the tent/shelter are required; wind is often an issue at the WLFM.
6. Scales: If selling goods by weight, the vendor must supply a legal produce scale, which is subject to periodic inspections by the Tippecanoe County Department of Weights and Measures.
7. Labelling: Vendors must label items they are selling with the item name, item price, and an identification of any items not locally produced, as defined above.
8. Signage: All vendors are required to display a sign, no smaller than 2' x 1', with their business name.
9. Pets: No pets allowed in vendor spaces per health department regulations.
10. Sales tax: Plants, crafts, and other non-food items sold in IN are subject to sales tax. Vendors should apply for a Registered Merchants Certificate through the regional IN Department of Revenue office, 100 Executive Drive, Lafayette, IN, (765) 448-6626.
11. Receipts: Vendors must be prepared to issue receipts if requested.
12. Damages: Vendors are solely responsible for damages or personal injury resulting from the operation of their stand.
13. Contracts and payments: Vendors must have a valid contract and must have paid all applicable participation fees before selling any goods at the Market. **Fees are non-refundable.** Valid applications must be submitted one week prior to the date of the Market at which the vendor desires to participate.
14. Every effort will be made to assign spaces based on seniority and date of submitted application. However, the Market Manager may need to make changes from time to time, based on attendance and market capacity. Best efforts to communicate any changes will be made as soon as possible.
15. Over the course of a season, after three absences without prior notice, we will assume you are done for the season and no longer hold your spot. If space allows, you may return to the market with a one-week notice prior to the week you wish to return
16. Vendors should inform market staff of any special needs as soon as possible.

6 VENDOR SET UP AND TEAR DOWN

- Market staff will be on site and help coordinate these processes. For safety and efficiency, vendors are asked to cooperate with the staff.
- Out of courtesy to the Market Manager and the participating vendors, ***please contact the Market Manager no later than 12:00 pm on the Market Day (wlaf.farmersmarket@gmail.com or (765) 762-1407*** if you will not be attending the Market.
- Vendors may begin setting up their stands two (2) hours before the opening of the market, at 1:30 pm. Vendors are asked to have their vehicles out of the market area by 3:00 pm.
- Please contact the Market Manager if arriving late due to unforeseen circumstances.
- Vendors arriving after 3:00 pm will not be able to drive into the market to unload and will have

to carry in their items instead.

- Vendors are expected to remain open at the market until closing time. **Tear down of stands should not start before the closing time.**
- Vendors must vacate the premise by 8:00 pm. This includes the removal of all personal items, compost, trash and equipment. Vendors must clean litter and debris before leaving or be subject to fine under the West Lafayette Municipal Code and expulsion from further Market participation.

7 SNAP/WIC/SFMNP POLICY

The West Lafayette Farmers Market accepts SNAP and WIC as eligible forms of payment. If you sell any SNAP and/or WIC eligible products, it is the West Lafayette Farmers Market policy that you must accept these forms of payment. Vendors who sell SNAP-eligible food items are automatically qualified to accept SNAP as a form of payment at the WLFM. Vendors who sell WIC-eligible food items must become qualified through the Indiana State Department of Health (ISDH) to accept WIC as a form of payment.

7.1 SNAP POLICY

Shoppers will use their EBT cards at the information booth to receive market tokens. They will then use these tokens as payment at eligible vendor stands. Vendors will collect the tokens as payment and then return them to market staff for reimbursement. Vendors are responsible for ensuring that they are **only** accepting tokens for the purchase of eligible foods. Tokens should be treated as cash, no reimbursement will be paid for missing tokens.

7.1.1 Eligible Food Items

Households CAN use SNAP benefits to buy:

- Foods for the household to eat, such as:
 - breads and cereals;
 - fruits and vegetables;
 - meats, fish and poultry; and
 - dairy products.
- Seeds and plants which produce food for the household to eat.

Households CANNOT use SNAP benefits to buy:

- Beer, wine, liquor, cigarettes or tobacco
- Any nonfood items, such as:
 - pet foods
 - soaps, paper products
 - household supplies
 - Vitamins and medicines
- Food that will be eaten at the market
- Hot foods

7.1.2 Reimbursement

- All SNAP customers should first be directed to the info booth in order to process their EBT card and receive market tokens.
- When accepting market tokens, make sure that the tokens are for the West Lafayette Farmers Market. Tokens from other markets are not accepted and cannot be reimbursed.
- Put the tokens in a safe place. Vendors will only be reimbursed for tokens that they return to market staff.
- At the end of the market day, return your tokens to the market staff. Staff will give you a receipt for your tokens and will process a refund. Refund checks will be mailed to vendors 10-15 business days after tokens are submitted.

7.1.3 Rules of Operation

- Do not restrict SNAP customers from shopping at certain times, charge them higher prices, make them use lanes designated SNAP-ONLY checkout, or to make minimum purchases
- SNAP customers must pay for their purchases at the time of sale. You may not accept SNAP benefits as payments on credit accounts.
- If a customer does not have enough SNAP tokens to pay for all of his or her eligible items, give the customer the option of paying for the remaining items with a debit or credit card (if you accept cards), cash, or not buying them.
- If you accept coupons or give trading stamps, you must also extend this option to SNAP customers. You must treat SNAP customers the same as you treat non-SNAP, cash-paying customers.

7.1.4 Change and Returns

SNAP customers cannot receive change or cash back. All returns must be credited back onto the SNAP EBT account. Customers wishing to make a return to their EBT card should be directed to the information booth. It is illegal to give cash in exchange for SNAP benefits. This practice is known as “trafficking.” Never give cash or store credit.

7.1.5 Taxes

SNAP purchases cannot be taxed regardless of State or Local food tax rules. In States where food is taxed, market vendors traditionally fold the tax into the listed price of the food item. However, vendors must deduct the tax from the total price of an item purchased with SNAP benefits.

7.1.6 Signage

Vendors that sell SNAP eligible foods are required to post signage at their booth stating that they accept SNAP. If you need signage, please request it from Market Administration.

7.2 WIC/SFMNP POLICY

WIC and Senior FMNP recipients will present checks as payment to vendors. Checks are made payable to “Indiana Farmers Market Nutrition Program Vendor”. Checks are valid only for the current season.

7.2.1 Eligible Food Items

Households can use WIC to purchase fresh, unprocessed, locally grown fruits, vegetables and edible herbs.

7.2.2 Farmer Eligibility Requirements

In order to qualify to accept WIC as a form of payment, Farmers must:

- Reside within Indiana or in an adjacent county that borders Indiana
- Participate in a training session provided by a State-designated representative
- Complete and sign the current version of State Form 52585 “Application and Agreement for Farmers to Participate in the WIC Farmers’ Market Nutrition Program (FMNP)” and submit to ISDH for approval ([View Document \(medialab.com\)](http://medialab.com))
- Comply with rules and regulations imposed by the ISDH related to the WIC/SFMNP program

8 THREATENING WEATHER:

- The safety of everyone present at the market is of primary importance. Potentially threatening weather will be monitored drawing on information from the National Oceanic and Atmospheric Administration (NOAA) and National Weather Service (NWS) along with the City of West Lafayette. This information and discussions among market and City staff members will weigh heavily in any decision to call for an emergency closing. A complete copy of the emergency procedures is on file with the City of West Lafayette and with the Market Manager.
- An air horn is used to signal a serious weather threat. When the horn blows, the market is closed.
- In the event of an emergency closing, please secure your tent as quickly as possible and find shelter.
- It is possible the market will re-open if the weather clears in time and no permanent damage has been done.
- West Lafayette Farmers Market Emergency Procedures are passed out to each vendor pre-season. If you need a copy, please request one from the Market Manager or see Appendix A.

9 QUALITY AND FAIRNESS

- The WLFM aspires to bring high-quality products, services, procedures and outcomes to our customers, vendors, and the staff who support it. All of us are tasked with working toward this goal.
- The Market also aspires to having procedures and outcomes that are fair to all parties. This requires careful attention to standards and procedures by all of us and a spirit of cooperation in conducting the Market's business.
- These two aims may require, in some instances, the Market Manager to seek information from you about your procedures or products. We ask that you cooperate with such efforts.

Noncompliance with WLFM Guidelines

- Our experience tells us that our vendors comply with the spirit and letter of the Market guidelines the vast majority of the time. Such cooperation benefits all of us. Noncompliance can occur; however, and the Market Manager is responsible for handling it.
- The Market Manager monitors ongoing operations at the market to ensure the Market guidelines are being followed and that fair and sound business practices are being used.
- The Market Manager is responsible for ensuring that items for sale are being produced as

represented by the vendor and within these guidelines. To this end, the Market Manager may ask to conduct an inspection at a vendor's property. If the Market Manager determines after the inspection that there is a reasonable likelihood that the vendor did not produce the goods for sale at the Market as represented, the Market Manager may, at their sole discretion, declare the vendor is not in compliance and seek a resolution of this noncompliance. Failure of the vendor to allow said inspection shall be considered noncompliance. By signing the WLFM Vendor Contract, the vendor hereby authorizes the Market Manager to conduct such an inspection if needed.

- If a vendor does not comply with the guidelines and spirit of the WLFM, the Market Manager may terminate the contract with that vendor and ask him/her to vacate the market. In such a case, the vendor, by contract, agrees to remove personal equipment, clean the area, and vacate the Market premises immediately.
- Upon noncompliance and notice, the Market Manager shall retain, as liquidated damages and not as a penalty, any participation fees paid by the vendor.

Grievance Procedures

- Our goal is to communicate often and openly. If you have any concerns, talk with the parties involved and seek common ground before concerns become a grievance. If you have a grievance, however, please follow the process outlined below.
- Any party, or parties, with a grievance should first meet with the Market Manager to discuss these matters and seek a resolution.
- If resolution cannot be found in discussions with the Market Manager, all parties should bring the matters to the Market Administration for discussion and resolution.
- If resolution is still not forthcoming, all parties should bring the matters to the Superintendent of Parks and Recreation of the City of West Lafayette for discussion and resolution.

Covenant Not To Sue

- By contract, the vendor will not institute any action or suit at law, or in equity against the City of West Lafayette and its agents and employees; or the Market Manager as a result of operations under this contract.
- Similarly, the vendor will not aid in the institution or prosecution of any claim for damages, costs, loss of services, expenses, or compensation for or on account of any damages, loss, or injury to person or property as a result of operation under this contract.

Indemnification

- By contract, the vendor hereby agrees to indemnify, hold harmless, release, waive, and forever discharge the City of West Lafayette and its agents and employees; and the Market Manager for all bodily and personal injury, including injuries resulting in death, and property damage, claims, actions, damages, liabilities and expenses, including reasonable attorneys' fees and court costs, which may occur as a result of vendor's participation in the Market, whether or not sounding in tort or contract, and whether or not caused by a negligent act or omission of the City of West Lafayette and its agents and employees; or the Market Manager.

2021 West Lafayette Farmers Market (WLFM) Vendor Contract

Please complete the entire application. Payment is due with the completed contract. Fees are non-refundable.

Vendor Name: [Click or tap here to enter text.](#)

Business Name (If Applicable): [Click or tap here to enter text.](#)

Email Address: [Click or tap here to enter text.](#)

Mailing Address: [Click or tap here to enter text.](#)

Telephone Number: [Click or tap here to enter text.](#)

Addresses of Farm/Production Facility and Leased Property: [Click or tap here to enter text.](#)

Name of Person(s) Attending the Booth: [Click or tap here to enter text.](#)

Season Vendors: Vendor requests _____ 10'x10' vendor space(s) (2021 Season Fees: \$125.00/per space by April 21, 2021, \$150.00/per space April 22, 2021 and after) for a total 2021 Market Season Participation Fee of \$_____.

(Note: Food truck vendors will need to pay for each 10'x10' vendor space they occupy.)

Daily Vendors: If you would like to purchase a daily vendor pass, the cost is \$25.00/space/day. Application must be submitted at least a week in advance of the market you plan to attend. Please indicate which market(s) you would like to attend: _____.

(Note: Please call us at (765) 775-5110 before submitting a daily vendor application.)

Please list all items that you plan to sell at the market (attach pages if needed)

(Note: Art and craft vendors MUST submit representative samples or photos of each different type of art and/or craft item with their application. These photos will be juried by market staff.)

1		2		3		4	
5		6		7		8	

Please select all that apply:

- SNAP Eligible Products
 WIC Eligible Products
 Organic (Certified)
 Organic (Non-Certified)
 Gluten Free
 Chemical Free
 Debit/Credit Cards Accepted
 Venmo
 PayPal

Help us promote your business! Please list below any websites, multimedia, or other contact information you would allow us to use in our promotional efforts.

- Facebook [Click or tap here to enter text.](#)
 Twitter [Click or tap here to enter text.](#)
 Instagram [Click or tap here to enter text.](#)
 Other [Click or tap here to enter text.](#)

By signing this contract, Vendor agrees to comply with the 2021 WLFM Guidelines, a copy of which is attached hereto. I affirm under the penalties for perjury that the foregoing statements are true and correct.

Printed Name: [Click or tap here to enter text.](#) Date: [Click or tap here to enter text.](#)

Signature: _____

Appendix A:

West Lafayette Farmers Market Emergency Procedures

The following is the contingency plan that is to go into effect during the West Lafayette Farmers Market should the need arise. This plan is to be used during weather events or any circumstances deemed necessary during the operational hours of the WLFM.

The change of conditions will be noted by a sign in the Information booth.

Green

No threat, normal operations.

Yellow

Possible threat of severe storms within 100 miles of West Lafayette. Staff and volunteers will be put on low-level alert.

Action:

- Ensure that weights are properly secured to each tent leg

Orange

Likely threat of severe storms within 50 miles tracking towards West Lafayette area.

Action:

- Drop your tents to lowest height
- Secure your belongings
- Be prepared to go to a place of safety (your vehicle or restroom building)

Red/Three Air Horn Blows

Imminent threat of severe storms within 20 miles of West Lafayette and tracking towards the WLFM. Also applies if there is a public disturbance (fire, shots fired, chemical spill, etc.). A code red necessitates suspension of the WLFM until such time that all emergency agencies affected and WLFM officials determine WLFM can resume safely.

Action:

- Take shelter immediately (in your vehicle or restroom building) until released by Market Manager or Emergency Authorities
- Instruct customers to immediately take shelter
- Market is considered closed until emergency authorities determine otherwise.