



# PORT ORCHARD FARMERS MARKET (POFM) 2022 MEMBER / VENDOR GUIDE

**Revised 3/13/2022**

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This guide is an official publication of the market and is designed to help you have a successful market season. We are glad you have chosen to be a member of our market. It is each member's responsibility to know the contents of this guide and follow all Market Policies, Procedures, Rules and Bylaws.

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## ABOUT THE PORT ORCHARD FARMERS MARKET (POFM)

Since 1978, the Kitsap Regional Farmers Market Association has operated the Port Orchard Farmers Market. POFM has been a place where families and people of all ages and backgrounds come to buy food, farm products, and crafts; interact with community groups at the market; and enjoy local entertainment and events. Our market is on the beautiful Port Orchard waterfront and the vendors and community are friendly and fun. The market is near downtown shops and restaurants, the Bremerton foot ferry, Marina, Waterfront Park, and public transit. There is a public boardwalk and walking path along the waterfront just outside the market space. The market averages 40 vendors during the peak of the season, with less during the early and late season. We support state and federal nutrition assistance programs and educational activities for children. We've always been a WA state non-profit organization and in March 2020 were granted federal 501c3 non-profit status.

### MARKET LOCATION

Port Orchard Farmers Market (POFM) is in the city parking lot directly behind Peninsula Feed Store (901 Bay St), just off Bay Street & Harrison, next to Waterfront Park. Please note, as our market is on a public waterfront with a walking path and near a public park, it is a popular area for people to walk their leashed dogs.

### 2022 POFM HOURS AND DATES

Saturdays rain or shine from 9am to 2pm April 16<sup>th</sup> through October 15<sup>th</sup>.

**MARKET BUSINESS MEETINGS** At our 2022 Annual Meeting held on January 26<sup>th</sup>, our membership voted in new Bylaws that transitioned our organization from member run to a Board managed farmers market. All meetings are via Zoom at this time and members are invited to attend. Please email [secretary@pofarmersmarket.org](mailto:secretary@pofarmersmarket.org) if you would like to be included. Members will be notified of any scheduled meetings by email.

2022 Meeting Dates	Time & Location
January 26 - ANNUAL MEETING	7:00-9:00pm via Zoom
Board Meetings are on the 2nd Wednesday of each month	6:30 via Zoom

### MARKET ORGANIZATION AND OPERATION

The Kitsap Regional Farmers Market Association ("KRFMA") operates the Port Orchard Farmers Market ("Market" or "POFM"). We are a 501c3 non-profit charitable corporation. We transitioned from a member run to a board run market at our 2022 Annual Meeting. Members elect all the officers. Each member has 1 vote. You must be a member of the market to be a vendor, but you may be a member without being a vendor. We welcome community members! Our members elected the Board of Directors (aka "the board") and voted on the 2022 annual operating budget at our 2022 Annual Meeting. The all-volunteer Board of Directors oversees the budget and management of the market on behalf of the membership, and holds regular meetings, which are open to all.

The POFM is a member of and adheres to the guidelines set forth by the Washington State Farmers Market Association (WSFMA) and incorporates those guidelines herein. WSFMA regulations can be found in their "Getting Back to Our Roots Guide" on their website [www.wafarmersmarkets.com](http://www.wafarmersmarkets.com)

Market Business is conducted at meetings, not at Market. Our Manager runs the market on Saturdays and has the final authority on any decision during market hours. Vendors are required to follow the Market Manager's instructions, or they may lose their vending privilege. If a member disagrees with a decision of the Manager, he/she must follow the grievance procedure as outlined in the Bylaws.

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## APPLYING TO BE A POFM VENDOR

**Acceptance** - Vendors are accepted based on residency within the Greater Kitsap Peninsula boundaries, market product balance, and seniority.

**Application** - Online All Market Application (optional pdf versions) or contact the Manager or Secretary for printed forms. All members reapply each year. The Manager determines product fit within the market, to assure the best balance and variety of products. At times, a product category may be full, and the market maintains waiting lists when that happens.

**Licenses and Permits** - For more information also see "Vendor Resources" document on our website

- Each Vendor is responsible for obtaining all necessary Federal, State and Local permits and licenses & will provide copies to the Market Manager. Even kid vendors must follow regulations.
- Vendors will provide proof of auto liability insurance for any vehicle brought into the market at any time.
- Vendors will display licenses / permits at their booth as required by law / regulation.
- Any Vendor selling anything other than fresh produce they grew themselves must have a valid WA State Master Business License (UBI #). (many produce only vendors will need a license too, see Resources for Vendors)
- The City of Port Orchard has waived their city business license requirement for our market vendors that do not sell anywhere within the City of Port Orchard other than at the farmers market.

<https://www.cityofportorchard.us/search-site/?term=farmers+market+business+license>

**Product Screening** – Artisan & craft vendors must have their products screened in person or online prior to vending. The Manager oversees the process. New product lines are also to be screened and approved before selling them. Once approved, products don't need to be screened every year. There is a Screening Application form on our website.

**Equipment & Supplies** - Each vendor is solely responsible for providing their own canopy, tables, etc. for vending. The market only supplies space.

**Liability** - The KRFMA / POFM disclaims any and all liability that may arise from the sale of goods by the vendors or by the conduct of the vendors. The KRFMA / POFM in no way guarantees the marketability or fitness of the vendors' goods, nor does KRFMA / POFM guarantee the success of the vendor's efforts. Vendors agree to hold the KRFMA / POFM harmless for any problems that may arise from the vendors' use of the property occupied by the farmers market.

**Insurance** – The POFM does not provide liability or property damage insurance coverage of any kind to any vendor.

**Taxes** - Each vendor is an independent business owner and is responsible for collecting and paying any taxes.

**Water** - There is a water faucet to fill buckets and on site (back of Peninsula Feed). Bring buckets.

**Electricity** - Available for \$5 daily fee – outlets at Waterfront Park end of market space on the side of the restroom building. Vendor supplies outdoor extension cord (long one needed) and must cover it with electrical cord covers (tape is not sufficient!) to avoid a tripping hazard.

**Generators** - must be approved by the Manager before use (noise level check).

**Site Visits** - All vendors agree, if requested, to have a POFM Site Visit Committee visit the vendor's physical production or farm location(s) to verify they are producing or growing their products per WSFMA and POFM policies.

**Policies** - All vendors agree to familiarize themselves with and follow the policies and procedures in this Member/Vendor Guide, including POFM Market Rules & Bylaws and also ensure helpers and employees do as well.

### VENDOR CATEGORIES & FEES:

Policies, Rules and Bylaws in the Member / Vendor Guide and state and local regulations apply to all vendors.

Apply as a new or renewing vendor using All Market Application - <https://form.jotform.com/193598551838072>

**Vendor:** All vendors except Backyard Farmers and Kid Vendors.

May use canopy for 10x10 size space or market umbrella for either space size

Fees: \$25 Annual Dues, have voting rights.

Daily Vending Fee of \$20 for a 5' wide x 10' deep space (no canopy) or \$30 for each 10' x 10'space

Electricity - \$5 per day.

**Backyard Farmer / Home Gardener:** Sell their own excess farm / garden products up to 5 x year.

May NOT use a canopy but may use a Market Umbrella.

Fees: \$0 Annual Dues, no voting rights.

Daily Vending Fee of \$6 for a 5' x 10' space. If you need a larger space, apply as a Vendor

**Kids under 16:** Make or grow what they sell with their own hands. The market staff is unable to watch over children. Parents or older siblings may help them at market. Kids can be "backyard farmers" too.

May NOT use a canopy but may use a Market Umbrella.

Fees: \$0 Annual Dues, no voting rights.

Daily Vending Fee of \$5 for a 5'x5' (card table size) space.

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## MARKET DAY PROCEDURES

COVID-19 Exceptions - Our market follows CDC guidance and State of Washington requirements, whatever they are at any given time.

### CHECK-IN:

- 6:15am-8:00am - NON-RESERVED VENDORS arrive (see Market Rules Reserved Space Guidelines)  
Do NOT bring your vehicle into the market area until you have your stall assignment from the Manager. You may park your vehicle outside the Market OR drive up to the vendor check-in entrance, where the manager will be.
- 7:30am or before - RESERVED VENDORS arrive - except
- 8:30am or before - RESERVED HARVESTING FARMER VENDORS (*produce, fresh flowers, eggs, fresh meat & seafood*) arrive *early enough to unload and remove vehicle by 8:45, unless you have on site parking privileges*
  - o After these times, reserved spaces may be assigned to non-reserved vendors at the Market Manager's discretion. The reserved vendor may be reassigned to a different space for that market day.
  - o Reserved Vendors go directly to your pre-assigned space and begin setting up without checking in with the manager.

### VEHICLES and PARKING:

- 8:30am-2:15pm - for public safety reasons, vehicles are not allowed to move inside the market. During these hours, the market is "pedestrians only"
- 2:15pm AND only after the manager gives the "OK" or moves the traffic barricades - vehicles are allowed in for loading.
- At 2pm, Vendors pack up and have everything ready to load before bringing their vehicle into the market. Bringing vehicles in before your stall is ready to load is not allowed.
- Parking/Waiting is NOT permitted, AT ANY TIME, for vendors/family/helpers in public or private parking zones, any areas surrounding Peninsula Feed Store. We need to be courteous to adjoining business.
- Vendors whose stalls are in the center lane (the normal driving lane) should immediately load up and exit the market so that vendors on the side aisle can enter.
- Vendors who park in the NO VENDOR PARKING ZONE (see map pg 7) are subject to a two (2) week suspension from Market without refund of any fees already paid. Please see the Manager if you need to park on site for health or other reasons.
- If you are parked behind the first row of market canopies, to avoid potential accidents please let the manager know if you need to move your vehicle or leave so the empty parking space can be blocked.
- Covid-19 Exception - Spacing - Due to government requirements / CDC guidance, vendor vehicles may be parked within the market perimeter for part or all of the season, to assist in greater stall spacing. Regardless, vehicles do NOT move between 8:30-2:15. At some point in the season we anticipate many if not all vendors will once again park outside the market in designated vendor parking areas and stalls will be placed closer together, which will allow for more vendors. Parking within the market perimeter is not a right and is not usual. Vendors will be notified by email when / if this change occurs.

### STALL SET UP & BREAK DOWN:

- All vendors shall be set up and be ready to sell by Market opening (Saturday at 9 am), with appropriate weights on canopies and umbrellas.
- All produce and uncovered food of any kind are to be a minimum of 24 inches off the ground. (We do have dogs come into the market so higher is better)
- Do not begin breaking down your stall until the market closes. Have everything ready to load before bringing your vehicle into the market.

### MARKET TOKENS:

- All vendors must accept the wooden credit/debit tokens that come in values of \$5 and \$1. Vendors are reimbursed 100% of the value via Melio Payments, a secure payment processing company, which provides automatic deposit to your bank account in just a few days. POFM pays card processing costs. POFM participates in a variety of food nutrition programs - see the Addendum "Cheat Sheet for Tokens & Vouchers" for more information.

#### CHECK-OUT:

- At the end of the day, before leaving, bring to the Market Booth:
  - Completed Vendor Daily Sales Report (see your vendor envelope) filled out completely and legibly please  
If you have questions or don't understand anything, ask the Manager for help.
  - Vending Fee for the day, by cash or check only, NO TOKENS. Vendors who do not pay fees on time may have vending privileges suspended.
  - Electricity Fee for the day, if applicable
  - Tokens, vouchers or coupons received (it's OK to hold these for a week or so if you don't have many). To prevent errors, market staff will count money & tokens in front of you and you both initial the report.
- You can pack up first or check out first but do not bring your vehicle into the market until you are all packed up.

#### MARKET MANAGER:

- ALL VENDORS AGREE TO FOLLOW MARKET MANAGERS INSTRUCTIONS ON MARKET DAY. The Market Manager, may, at his/her discretion, make operations decisions for safety reasons or to ensure a smoothly operating and visually appealing market.  
This may include but is not limited to:
  - Closing the market early due to safety issues such as weather or other dangerous and/or uncontrolled activity.
  - Requesting Reserved and non-reserved vendors to move places for the day to better fill empty spaces
  - Changing Market layout due to special events happening in the market or in the general area by outside enterprises.
  - On occasion other special events occur downtown or on the waterfront and our market may be moved slightly and/or market hours may be extended. Vendors can choose whether to vend regular market hours or extended hours. If the vendor chooses to leave and not stay for the extended time, a specific time for exit will be decided on and vendor must pack items out without bringing in a vehicle. The decision to leave needs to be given to the manager before setting up in the morning so that the manager may place them in a position to exit safely.

#### BEHAVIOR:

- Vendors will be respectful and courteous to each other, Market Staff, and market shoppers always. Our purpose is to provide a safe, pleasant, fun place for our vendors to sell and the public to shop. See also Market Rules.

#### GENERAL SAFETY and LIABILITY:

- If you have a dispute or grievance with a member of the community, customer, other vendor, volunteer or staff (criminal acts, bad behavior, etc.) report it to the Manager or President immediately so it can be resolved.
- Animal exposure is not covered under the markets insurance. No dogs or animals shall ever be brought to the market by a vendor unless it is a service animal or covered by a \$500,000 liability insurance policy. This is non-negotiable.
- If you observe a hazard, tell the Manager so it can be dealt with immediately. If you can safely remedy it, please tell the Manager so it can be notated.

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## POLICY GOVERNING CANOPIES & UMBRELLAS

*WSFMA Requirement: "All vendors who wish to erect canopies (including umbrellas) on the Farmers Market site during a normal period of market operations, including the set up and break down period, are required to have their canopies sufficiently and safely anchored to the ground from the time their canopy is put up to the time it is taken down. Any vendor who fails to properly anchor his or her canopy will not be allowed to sell at the Farmers Market on that market day, unless that vendor chooses to take down and stow their canopy and sell without it. Each canopy leg must have no less than 24 lbs. (pounds) anchoring each leg."*

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**For examples of recommended safety methods pertaining to canopy weights, please refer to "Canopy Safety 101" document located at [www.wafarmersmarkets.com](http://www.wafarmersmarkets.com).**

Our WSFMA membership requires all vendors follow this rule always, no exceptions. WSFMA suggests a minimum of 24 pounds, but that may not be enough. Our market, being on the water, does experience extreme wind gusts. We do not guarantee 24 pounds will be sufficient. It is the Vendors responsibility to sufficiently secure his/her own canopy or umbrella. If in doubt, use more weight.

**If the legs of your canopy are angled or you use rough concrete blocks for a tie-down: you MUST trip-proof these by displaying around them or otherwise blocking them off.**





### Port Orchard Farmers Market Vendor Parking

Approved farmers market vendor parking is outside the boxed in area, per agreement with the City of Port Orchard.



#### Port Orchard Farmers Market

at the waterfront parking lot behind Peninsula Feed Store. Turn onto Harrison from Bay Street to enter.



#### APPROVED PARKING

Vendors may park in the parking lot of the Child Support Division of the KC Prosecutors. This is the building behind the Sydney Museum. Access from Prospect Street but DO NOT PARK ON PROSPECT STREET



#### APPROVED PARKING

Kitsap Bank employee parking on the south side of Bay Street. Park here if Child Support Lot is full.



no vendor parking inside the boxed in area

Note that the Kitsap Bank Employee lot can be used by another organization at any time without notifying us. If it is being used, please find a different place to park, above Prospect Street.

**WHERE NOT TO PARK:** Parking in these areas violates our agreement with the City and local merchants and you may be suspended or expelled if you do: 1) anywhere inside the bordered area on the map 2) anywhere on Prospect Street 3) anywhere on Bay Street 4) anywhere between Prospect Street and the water 5) in local businesses customer or reserved parking spaces.

\* If available the Manager will allow some parking in extra spaces inside the Farmers Market, priority will be given to elderly and handicapped vendors. This is at the Manager's discretion only.

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## TYPES of VENDORS and PRODUCTS ALLOWED

### Products not allowed

- **No Commercial or Imported Items**
- **No Second-Hand Items**  
(Exception: Those vendors who take a second-hand item and recycle that item for a new use.)
- **No Franchises:** Those who have entered into an agreement or received a license to sell a company's products and/or use a company's packaging, logo, ingredients, and/or marketing tools under that license or any franchise agreement;
- **No Non-Owner Operated Businesses:** Only those businesses that are operated and controlled by their Washington State-based owners are permitted
- **No Out-of-State Processing:** All processed products sold must be processed within Washington State.

### Who Is Allowed to Sell at the Farmers Market and what can be sold

**No person, organization or business entity having a commercial/retail business location may be a vendor at the Market, except a food vendor** (see Market Rules 2 for more information)

#### ➤ **FARMERS (Producers) - must live and farm within Washington State.**

Farmers raise produce, plants or botanicals, or animals which they sell at The Market on land they own, lease or rent, in the State of Washington. The definition of Farmer may also include someone who processes produce, fruit, berries, botanicals, meats, honey, etc., which is grown, raised, or harvested on their owned, leased or rented property, in the State of Washington and then turned into value added product(s) such as jams, cider, salsa, vinegars, alcoholic beverages (\*), essential oils or any other botanical use. It may also include Farmers who raise the basic ingredient(s) of a product, but who must send it out for fundamental processing, either within Washington State or border counties, before creating the value-added product. Such Vendors might include those Farmers selling certain essential oils, smoked meats or fish, etc. This excludes Resellers or those who might work on or manage a corporately owned farm and have permission to dispose of surplus product.

- ❑ **"BACKYARD FARMERS":** of any age are invited to sell their own farm products at our Farmer's Market up to 5 times per year at greatly reduced Fees. Backyard Farmers must grow all the farm products they sell themselves on their own property. This category is mainly for home gardeners and small farms with excess harvest.
- ❑ **SEAFOODS:** *The vendor must own, lease, or operate the fishing vessel or own, lease or rent the parcel of land where the seafood is caught or harvested for sale. The vendor must be a legal resident of the State of Washington.*
- ❑ **ALCOHOLIC BEVERAGES:** *Alcoholic beverages must be made entirely from ingredients grown in Washington, or from grapes grown in a recognized Washington appellation, except for certain additives required for processing which cannot be produced in the State of Washington, not amounting to more than 5% of the total volume of the beverage. Because at this time there appears to be no beer made in Washington State that meets these requirements, WSFMA recommends that its Member Markets only apply to be authorized for wine sales by the State Liquor Control Board.*

**LICENSING & PERMITS** - Farmers who only grow fresh produce (fresh fruit, vegetables & herbs) to sell are exempt from state business licensing if they sell less than \$12,000 annually. All other farm products (flowers, plants, honey, fish, dairy, meats, processed products, wild harvested, etc.) require a valid WA State Business License (UBI #). Farmers and farm processors may be required to hold other permits and licenses and should contact their local health department and the State of Washington for these. Fresh salad mixes & sprouts must meet local & state requirements for production. Farmers selling produce by weight must use a valid registered commercial scale.



## ➤ **PROCESSORS** - must reside on the Kitsap Peninsula.

Processors sell foods that they have personally prepared or processed on property that they own, rent, or lease.

Processors offer food products (such as meats, seafood, ciders, wines, baked goods, jams, nuts, etc.) that have added value to their product through some sort of “hands-on” processing (e.g., hand-filleted fish, smoked or butchered meats, handmade candies/nuts, etc.), but have not raised the ingredients themselves. Processed food producers should use ingredients from Washington State farms or waters as much as possible, and the market will give stall preference to those Processors who use ingredients from Washington State farms or waters. Bakeries must be family owned and staffed.

- ❖ *SEAFOODS: Seafood vendors products must originate from the greater Pacific Northwest, which includes Washington, Oregon, Alaska and British Columbia.*
- ❖ *ALCOHOLIC BEVERAGES: Alcoholic beverages (currently wine only) must be made entirely from ingredients grown in Washington, or from grapes grown in a recognized Washington appellation, except for certain additives required for processing, but which cannot be produced in the State of Washington, not amounting to more than 5% of the total volume of the beverage.*

**LICENSING & PERMITS** - Processors must meet all Federal, State, County and local Health Department requirements. All appropriate permits and licenses must be submitted and filed with the Market Manager. At a minimum, processors will need a valid Washington State Business license, and may need a Food Handlers card and a valid Temporary Food Establishment Permit if Sampling. (Contact local Health Dept to determine if you are required to have a WSDA Certified kitchen or License). Processors must meet all food safety & health requirements. All appropriate permits and licenses shall be displayed.

## ➤ **RESELLERS** - must reside on the Kitsap Peninsula.

Resellers must obtain approval in advance from the Manager for each product they wish to bring to Market

Resellers buy produce from farmers in Washington State and resell it directly to the consumer. Resellers are allowed to sell at WSFMA Member Markets, but do have strict criteria to follow:

- ☐ Resellers are expected to be the only stop between the grower and the consumer. The product they buy must not come from shippers, warehouses, jobbers or wholesale distributors.
- ☐ They must not sell any produce not grown in Washington State (For example: oranges or bananas).
- ☐ They may sell any produce they grow themselves on their own property (see Farmers).
- ☐ Resellers are sellers of crops that cannot be grown reliably, or are not offered for sale in sufficient quantity, by Farmers selling at Market.
- ☐ Resellers must have all crops pre-approved by the Member Market's governing body before delivering the crops to market for sale. Approved, resold crops must be specifically limited, so as not to compete with the crops of our local Farmers.
- ☐ All Resellers, or Farmers, must label their products as being resold if they are not selling products which they have grown, raised, or harvested themselves on property that they own, lease, or rent.
- ☐ All information declaring which products are resold must be available and displayed for the consumer to easily read. Signage must clearly state which farm(s) produced the products; other terms synonymous with “resold” may be substituted.

**LICENSING & PERMITS** – Resellers must have a WA Master Business License.

## ➤ **PREPARED FOOD VENDORS - must reside on the Kitsap Peninsula.**

Prepared Food vendors (Concessionaires) offer freshly made foods, available for sale and immediate consumption on-site at Market. Prepared Food vendors should use ingredients produced in Washington State as much as possible and the Market will give preference to those vendors using ingredients produced in Washington State farms or waters.

- Prepared Food Vendors must have their product screened by the Executive Committee or approved by the Market Manager. Any trailers or generators must be approved through the Executive Committee or Market Manager.

**LICENSING & PERMITS** - Prepared Food vendors shall submit and possess and maintain all required State, County, and local Health Department permits and file copies with the Market Manager. A \$1,000,000 liability insurance policy is required, as well as a valid Washington State Business license, a Food Handlers card and a valid Temporary Food Establishment Permit (these are minimum requirements). Sampling requires a separate permit. (Contact local Health Dept to determine if you are required to have a WSDA Certified kitchen or License)

## ➤ **ARTISANS / CRAFTERS - must reside on the Kitsap Peninsula.**

One who creates with their own hands the products they offer for sale at the Market. To qualify as an Artisan/Crafter, a majority of the tools and equipment used to produce their products must require skill, personal handling and/or manipulation. Artisans/Crafters should incorporate materials grown or produced in Washington State as much as possible and the Market will give priority to those Artisan/Crafter vendors who use materials from Washington State.

All products (including new products for current vendors) are reviewed by our Screening Committee for quality and to verify they are locally made. Screening occurs and at Council Meetings and every Saturday at 7:30 am (contact the manager if you need to arrange an alternative screening or to screen by email). Bring representative samples of your product with you. Check in at the Market Information Booth. Crafters do not set-up on the day they are screened. A postcard or email with screening results is sent to the applicant within a week of screening. The Market Manager approves product(s) with the goal of balancing various product offerings at the market and farmer / crafter vending ratio.

**LICENSING & PERMITS** - Artisan / Craft vendors must have a valid Washington State Business license.

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## **YOU DON'T HAVE TO BE A VENDOR TO PARTICIPATE**

**COMMUNITY MEMBERS:** Are supporters and members but do not vend at market.

Application used: Community Member – fill out and download from <http://www.pofarmersmarket.com/join-us.html>

Fees: \$25 Annual Dues, have voting rights. Receive market emails.

**VOLUNTEERS:** We can always use help even if you can't become a member! Please see the Volunteer Application or contact the Market Manager with questions. <http://www.pofarmersmarket.com/join-us.html>

**COMMUNITY GROUPS:** Our market offers space at no cost to non-profit community groups as available, however we do not grant space for political campaigning or religious proselytizing. See the Community Free Space Application at <http://www.pofarmersmarket.com/join-us.html>



THE KITSAP REGIONAL FARMERS MARKET (KRFMA)  
OPERATING THE PORT ORCHARD FARMERS MARKET (POFM)

# MARKET RULES

Amended January 12, 2022

## General Rules

1. KRFMA is a Member of and abides by the Market Membership and Roots Guidelines and policies of the Washington State Farmers Market Association (WSFMA), unless otherwise stated in the KRFMA Bylaws, Market Rules or other written policies. The Vendor Guide and Member Newsletter are official publications of KRFMA.
2. No person, organization or business entity having a commercial/retail business location may be a vendor at the Market, except a food vendor. Food vendors will be considered on an individual basis with preference given to individuals with access to certified kitchens without a commercial/retail business location. The Market Manager shall examine the required credentials of the food vendor with or without a commercial/retail business location and approve that vendor's application on an "as needed" basis for the Market. CSA farms, home delivery farms, sell on site farms and u-pick farms are not considered to have commercial/retail business locations. Crafters and Processors who sell as a cottage industry from their home are also not considered to be a commercial/retail location.
3. Vendors agree to sell products of good quality. The Market will not permit spoiled produce, diseased plants, or products of poor quality to be sold at the Market.
4. Vendors will conduct themselves courteously at the Market. It is The Market's intent to win friends and to serve the public, thereby benefiting both vendors and customers.
5. Barker style sales pitches, baiting, pestering or pleading are not acceptable. Misrepresentation of your product or degradation of a fellow vendor's product, in order to make a sale, are unacceptable.
6. The Market is not a forum for political or religious activities. Vendors are asked to refrain from campaigning or proselytizing. Space will not be granted for these purposes.
7. Pricing of goods sold at the Market is solely the responsibility of the individual vendor. However, the Market Manager does reserve the right to conduct Market research and set a low-price limit, and vendors will not be allowed to sell below this price. Vendors are discouraged from giving produce or merchandise away for free or at below-cost pricing, as this undercuts potential sales for other vendors. This does not include sampling.
8. Any vendor wishing to bring a pet to market is required to provide a certificate of insurance with a minimum of \$50,000 per occurrence for bodily injury & property damage animal liability insurance coverage, naming the KRFMA as Additional Insured.
9. Anyone driving a vehicle into the market must provide proof of valid auto liability insurance.
10. Vendors will not smoke within the market.
11. Vendors will give the Market Manager at least 48 hours' notice of cancellation if unable to attend a date they are scheduled for. A vendor who "no shows" (just doesn't show up on market day after telling the Manager

they would be there) 3 or more times may lose their vending privileges for a period of time, to be determined by the Board of Directors.

12. Payment of Dues & Fees - Dues are payable in full upon acceptance of the application for membership. Stall Fees may be paid in advance or at the end of each market day.

### **Vendor Spaces**

1. A standard stall can be a front foot measurement of 5' or 10'. Upon request, additional front footage may be granted by the Market Manager if space is available.
2. Each vendor's sales area is confined to his/her assigned space plus the aisle(s) directly adjacent to it. Venturing out into the Market with sales pitches, samples, etc. is not allowed.
3. Vendors are responsible for keeping their stalls attractive during Market hours and for cleaning up their space after Market hours. Vendors will furnish their own trash receptacle and clean up any litter and take it with them at the end of Market. On-site trash receptacles are not to be used by vendors.
4. Vendors will not play music, the radio, sound or video recordings if a customer or another vendor voices a complaint.

### **Grievance Procedure**

Any grievance regarding conduct of a vendor, products being sold or complaints regarding Market Rules or Market Operational Policies should be brought to the Market Manager. If the complaint is not resolved by the Market Manager or does not pertain to Market Rules or Market Operational Policies, the Grievance may be addressed as outlined in the KRFMA Bylaws.

### **Changes to Market Rules**

These Market Rules may be amended or suspended at any Member or Board of Directors Meeting by majority vote of attending Members.



# BYLAWS OF

## **KITSAP REGIONAL FARMERS MARKET ASSOCIATION**

A WASHINGTON STATE Non-profit Corporation and 501c3

Effective January 26, 2022

### **ARTICLE I NAME, OFFICES**

#### **1.01 Name**

The name of the corporation is KITSAP REGIONAL FARMERS MARKET ASSOCIATION. The business of the corporation may be conducted as KITSAP REGIONAL FARMERS MARKET ASSOCIATION, sometimes referred to herein as KRFMA or PORT ORCHARD FARMERS MARKET.

#### **1.02 Offices**

The corporation shall maintain in the State of Washington a registered mailing address, currently at PO Box 8247, Port Orchard, WA 98366, as well as a registered agent. The Board of Directors, sometimes referred to herein as the "Board" may, at any time, change the location of the registered mailing address and the person designated as the registered agent. The corporation may also have other operations, offices or hold meetings at such places as the Board of Directors may fix by resolution.

### **ARTICLE II - PURPOSE, POWERS, LIMITATION**

#### **2.01 Vision, Mission, Purpose**

KITSAP REGIONAL FARMERS MARKET ASSOCIATION, a WASHINGTON STATE non-profit corporation recognized as tax exempt under Section 501(c)(3) of the United States Internal Revenue Code, shall be operated primarily for educational and charitable purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, or the corresponding section of any future Federal tax code.

- (a) Vision - To provide the best source and resource for locally grown and made products for the community. One that is well-networked with fellow entities for the benefit of the local economy.
- (b) Mission - To provide a community gathering site for more awareness and access to locally-grown farm goods and other products of local labor, agricultural programs, and educational activities to the public.
- (c) Purpose - To be an anchoring part of the local economy within the community by providing a venue for our members to sell directly to the public and to provide management and promotion of KRFMA.

#### **2.02 Powers**

The corporation shall have the power, directly or indirectly, alone or in conjunction or cooperation with others, to do any and all lawful acts which may be necessary or convenient to affect the charitable purposes, for which the corporation is organized, and to aid or assist other organizations or persons whose activities further accomplish, foster, or attain such purposes. The powers of the corporation may include, but not be limited to, the acceptance of contributions from the public and private sectors, whether financial or in-kind contributions.

#### **2.03 Exempt Activities Limitation**

Notwithstanding any other provision of these bylaws, no director, officer, employee, member, or representative of this corporation shall take any action or carry on any activity by or on behalf of the corporation not permitted to be taken or carried on by an organization exempt under Section 501(c)(3) of the Internal Revenue Code as it now exists or may be amended, or by any organization contributions to which are deductible under Section 170(c)(2) of such Code and Regulations as it now exists or may be amended. No part of the net earnings of the corporation shall inure to the benefit or be distributable to any director, officer, member, or other private person, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in the Articles of Incorporation and these bylaws.

## **ARTICLE III**

### **MEMBERSHIP**

#### **3.01 Classes of Members**

Any individual, domestic profit or nonprofit corporation, a general or limited partnership, an association or other entity may become a member of the Corporation upon payment of Annual Dues.

- (a) Vendor Member - Comprising persons and organizations who have been accepted for membership and have paid annual dues for the purpose of selling.
- (b) Non Member Vendor - From time to time, KRFMA may offer other vendor categories that do not require payment of annual dues. These vendors are not members and do not have voting rights unless they pay annual dues.
- (c) Community Member - A person or organization other than a Vendor Member who pays annual dues as established by KRFMA and supports the interests and goals of KRFMA.

#### **3.02 Term**

Membership becomes effective and a member is considered to be in good standing upon acceptance of a new or renewal application to KRFMA and payment of annual dues in full. Membership expires on the day prior to the first KRFMA market day of the following year. Members must apply annually to continue membership. Memberships shall not be transferable.

#### **3.03 Dues**

Annual membership dues shall be determined by the Board of Directors.

#### **3.04 Member Meetings**

- (a) Robert's Rules - The updated Robert's Rules of Order shall govern all business, unless otherwise specified in these bylaws.
- (b) Annual Meeting - There shall be an Annual Meeting of KRFMA to be held in January; date, time and place to be determined by the board. This meeting shall be for electing directors, presenting the annual budget and membership fees, providing general information on the upcoming market season and eliciting member participation and comments, as well as other business that may be deemed necessary by the board.
- (c) Fall Meeting - There shall be a meeting in October or November, at least 12 days after the last market day of the year; date, time and place to be determined by the board. This meeting shall be for the purpose of reviewing the just-completed market season and budget and transacting other business deemed necessary by the board.
- (d) Notice - Notice of the Annual and Fall Meetings shall be mailed or emailed to the last recorded address or email of each voting member at least ten (10) days but not more than fifty (50) days before the date of the meeting.
- (e) Special Meetings - The President, the board, or not less than one-third of the members, may call special meetings of the Members for any purpose. Written notice shall be mailed or emailed to the last recorded address or email of each member at least seven (7) days before the meeting and shall give the reason(s) the meeting is being called.
- (f) Quorum - A quorum consists of fifteen (15) per cent of the members of the corporation entitled to vote, represented in person or by proxy, shall constitute a quorum at a meeting of members.
- (g) Who May Attend - Any person may attend any KRFMA meeting but only members shall have voting rights.

#### **3.05 Voting**

- (a) Majority Vote - Members shall be entitled to one vote per membership at any meeting of KRFMA. A simple majority vote will decide all actions.
- (b) Proxy - Votes may be cast in person or by proxy. A member may vote by proxy executed in writing by the member or by his, her or its attorney-in-fact. Such proxy shall be filed with the Secretary of the corporation before or at the time of the meeting. A proxy shall expire at the end of the current membership term.

#### **3.06 Non Compliance and Termination of Membership**

Vendors or members not in noncompliance with market rules, bylaws, other written policies or membership agreement, will be given written or emailed notice of noncompliance along with details to come into compliance and a date, not less than 6 days from the date of notice, when remedies are due. Failure of the vendor to follow written remedy within the time frame may result in loss of membership and/or vending privileges, which will be decided by the Board of Directors.



### **3.07 Manager's Authority**

The Market Manager is empowered to deny participation at market or evict any vendor from the market site if they determine the vendor is in noncompliance and is impairing market operations or safety, or causing a public disruption. The member may appeal the manager's decision to the board in writing or by email to the Board President or Secretary, and the board will approve or deny the appeal within 6 days, by majority vote. The manager does not have authority to terminate a vendor's membership.

### **3.08 Board's Authority**

Membership and / or vending privileges may be terminated by the affirmative vote of a majority of directors present. If 10% or more of the membership petitions the board in writing or by email, the board will vote again, and a two thirds affirmative vote of the board will reverse the termination. Petitions may be made in writing or by email to the President or Secretary.

### **3.09 Grievance Procedure**

- (a) During the Market Day - The Market Manager is responsible for and empowered to resolve any grievance occurring during the market day. Any member may appeal the manager's decision to the Board of Directors per 3.09(b).
- (b) Addressing a Grievance to the Board - If a member has a grievance that pertains to the manager or other staff, or another member(s), the member may submit the grievance by mail or email to the Board President (president@pofarmersmarket.org). The board will review the grievance and determine a resolution by majority vote within 15 days.

## **ARTICLE IV BOARD OF DIRECTORS**

### **4.01 Number of Directors**

There shall be at least 5 and no more than 11 directors. Within these limits, the board may increase or decrease the number of directors serving on the board, including for the purpose of staggering the terms of directors.

### **4.02 Authority**

The governance and management of all funds, properties and affairs of KRFMA shall be vested in the Board of Directors except as otherwise provided by law.

### **4.03 Qualifications**

In order to be eligible to serve on the Board of Directors, the individual must be at least 18 years of age and a member.

### **4.04 Election of Directors**

At the annual meeting of KRFMA, directors shall be elected by a paper ballot or voice vote. Persons not at the annual meeting may be nominated and elected for office if they agreed to the nomination before the election.

### **4.05 Terms**

- (a) All directors shall be elected to serve a three-year term.
- (b) Terms shall be staggered so that approximately one-third the number of directors will end their terms in any given year. Each director shall serve a three (3) year term from the date of his or her election, with the exception that the original directors elected in 2022 shall draw lots to determine who shall serve 1,2 or 3 year initial terms.
- (c) Directors may serve terms in succession.
- (d) The term of office shall be considered to begin upon election at an annual meeting and ends when their successor has been elected.

### **4.06 Vacancies**

The Board of Directors may fill vacancies due to the resignation, death, or removal of a director or may appoint new directors to fill a previously unfilled board position, for the balance of the term of the director being replaced, subject to the maximum number of directors under these bylaws.

### **4.07 Removal of Directors**

A director may be removed by majority vote of the Board of Directors then in office, if:

- (a) the director is absent and unexcused from two or more meetings of the Board of Directors in a twelve-month period. The Board President is empowered to excuse directors from attendance for a reason deemed adequate by the Board President. The President shall not have the power to excuse him/herself from the board meeting attendance and in that case, the Board Vice President shall excuse the President. Or:

- (b) for cause or no cause, if before any meeting of the board at which a vote on removal will be made, the director in question is given electronic or written notification of the board's intention to discuss her/his case and is given the opportunity to be heard at a meeting of the board.

#### **4.08 Board of Directors Meetings**

- (a) Robert's Rules - The updated Robert's Rules of Order shall govern all business, unless otherwise specified in these bylaws.
- (b) Regular Meetings - The Board of Directors shall have a minimum of five (5) regular meetings each calendar year at times and places fixed by the board. Board meetings shall be held upon seven (7) days' notice by first-class mail or electronic mail. Notice shall be deemed to be delivered upon its deposit in the mail or transmission system. Notice of meetings shall specify the place, day, and hour of meeting. The purpose of the meeting need not be specified.
- (c) Special Meetings - Special meetings of the board may be called by the President, Vice President, Secretary, Treasurer, or any two (2) other directors of the Board of Directors. A special meeting must be preceded by at least two (2) days' notice to each director of the date, time, and place, but not the purpose, of the meeting. Notice may be by mail, electronic mail or phone call.
- (d) Waiver of Notice - Any director may waive notice of any meeting, in accordance with Washington state law.
- (e) Who May Attend - Any person may attend any KRFMA board meeting but only board members shall have voting rights.

#### **4.09 Manner of Acting**

- (a) Quorum - A majority of the directors in office immediately before a meeting shall constitute a quorum for the transaction of business at that meeting of the board. No business shall be considered by the board at any meeting at which a quorum is not present.
- (b) Majority Vote - Except as otherwise required by law or by the articles of incorporation, the act of the majority of the directors present at a meeting at which a quorum is present shall be the act of the board.
- (c) Hung Board Decisions - On the occasion that directors of the board are unable to make a decision based on a tied number of votes, the President or Treasurer in the order of presence shall have the power to swing the vote based on their discretion.
- (d) Participation - Except as required otherwise by law, the Articles of Incorporation, or these bylaws, directors may participate in a regular or special meeting through the use of any means of communication by which all directors participating may simultaneously hear each other during the meeting, including in person, internet video meeting or by telephonic conference call.

#### **4.10 Informal Action by the Board of Directors**

Any action required or permitted to be taken by the board at a meeting may be taken without a meeting as long as a quorum of board members gives consent. The intent of this provision is to allow the Board of Directors to use email to approve actions.

#### **4.11 Compensation for Board Service**

Directors shall receive no compensation for carrying out their duties as directors. The board may adopt policies providing for reasonable reimbursement of directors for expenses incurred in conjunction with carrying out board responsibilities.

#### **4.12 Compensation for Professional Services by Directors**

Directors are not restricted from being remunerated for professional services provided to the corporation. Such remuneration shall be reasonable and fair to the corporation and must be reviewed and approved in accordance with the Board Conflict of Interest policy and state law.

### **ARTICLE V COMMITTEES**

#### **5.01 Committees**

The Board of Directors may, by the resolution adopted by a majority of the directors then in office, designate one or more committees, each consisting of three or more directors, to serve at the pleasure of the board. Any committee, to the extent provided in the resolution of the board, shall have all the authority of the board, except that no committee, regardless of board resolution, may:

- (a) take any final action on matters which also requires board members' approval or approval of a majority of all members;
- (b) fill vacancies on the Board of Directors or any committee which has the authority of the board;
- (c) amend or repeal bylaws or adopt new bylaws;
- (d) amend or repeal any resolution of the Board of Directors which by its express terms is not so amendable or repealable;

- (e) appoint any other committees of the Board of Directors or the members of these committees;
- (f) expend corporate funds to support a nominee for director; or
- (g) approve any transaction;
  - (i) to which the corporation is a party and one or more directors have a material financial interest; or
  - (ii) between the corporation and one or more of its directors or between the corporation or any person in which one or more of its directors have a material financial interest.

## **5.02 Standing Committees**

The Board shall appoint the following standing committees: Market Promotions, Site Visits, and Screening. Committees shall consist of a minimum of 3 members. There shall be at least one Board of Directors member on each committee.

- (a) Market Promotions - Coordinate all market promotions and advertising. Organize events to promote community participation in the market. Keep records of contacts.
- (b) Site Visits - Visit vendor's physical production or farm location(s) to verify they are producing or growing their products per WSFMA and KRFMA policies.
- (c) Screening - Screens new craft and artisan vendors and current craft and artisan vendor's new product lines according to guidelines and rules of the market.

## **5.03 Other Committees**

The President may from time to time appoint such standing and ad-hoc committees as they deem advisable. Committees shall include at least 3 members, and can include board members. Duties of such committees shall be determined by the Board of Directors.

## **5.04 Meetings and Action of Committees**

The committees shall be governed in the same manner as the board concerning meetings. The time for regular meetings of committees may be determined either by resolution of the Board of Directors or by resolution of the committee. Special meetings of the committee may also be called by resolution of the Board of Directors. Minutes shall be kept of each meeting of any committee and shall be filed with the corporate records. The Board of Directors may adopt rules for the governing of the committee not inconsistent with the provision of these bylaws.

# **ARTICLE VI**

## **OFFICERS**

### **6.01 Board Officers**

The officers of the corporation shall be a Board President, Vice-President, Secretary, and Treasurer, all of whom shall be chosen by, and serve at the pleasure of, the Board of Directors. Each board officer shall have the authority and shall perform the duties set forth in these bylaws or by resolution of the board or by direction of an officer authorized by the board to prescribe the duties and authority of other officers. One person may hold two or more board offices as allowed in these bylaws or by law, but no board officer may act in more than one capacity where action of two or more officers is required.

### **6.02 Term of Office**

The Board of Directors shall meet within 20 days of the Annual Meeting to elect officers. Each officer shall serve a one-year term of office and each board officer's term of office shall begin upon the adjournment of the board meeting at which elected and shall end upon the adjournment of the board meeting during which a successor is elected. Vacancies are filled by the board.

### **6.03 Removal and Resignation**

The Board of Directors may remove an officer at any time, with or without cause. Any officer may resign at any time by giving written notice to the corporation without prejudice to the rights, if any, of the corporation under any contract to which the officer is a party. Any resignation shall take effect at the date of the receipt of the notice or at any later time specified in the notice. The acceptance of the resignation shall not be necessary to make it effective.

### **6.04 Board President**

The Board President shall be the Chief Volunteer Officer of the corporation. The Board President shall lead the Board of Directors in performing its duties and responsibilities, including, if present, presiding at all meetings of the Board of Directors or Members, and shall perform all other duties incident to the office or properly required by the Board of Directors. The President shall set the agenda for all meetings of the Board of Directors. Further, they shall be an ex-officio member with the right to vote on all committees.

#### **6.05 Vice President**

In case of disability or absence of the President, or a vacancy in that office, the Vice-President shall assume the duties of President until the return of the President or until such vacancy is filled by election of the Board of Directors. If requested by the President, the Vice-President may assume temporary duties in the absence of any Board member from a meeting.

#### **6.06 Secretary**

The Secretary shall maintain a corporate calendar for conducting the business of the corporation; keep or cause to be kept a record of minutes of all meetings and actions of directors and committees; maintain corporate documents and records; conduct or delegate all correspondence; and shall keep a list of all KRFMA members. The minutes of each meeting shall state the time and place that it was held and such other information as shall be necessary to determine the actions taken and whether the meeting was held in accordance with the law and these bylaws. The Secretary shall cause notice to be given of all meetings of directors and committees as required by the bylaws. The Secretary shall have such other powers and perform such other duties as may be prescribed by the Board of Directors or the Board President.

#### **6.07 Treasurer**

The Treasurer shall be the lead director for oversight of the financial condition and affairs of the corporation. The Treasurer shall oversee and keep the board informed of the financial condition of the corporation and of audit or financial review results. The Treasurer shall ensure a detailed account of all monies received, their sources thereof, and all disbursements are kept. The Treasurer will ensure all required tax and employment filings and payments are made. In conjunction with other Directors or Officers, the Treasurer shall oversee budget preparation and shall ensure that appropriate financial reports, including an account of major transactions and the financial condition of the corporation, are made available to the Board of Directors on a timely basis or as may be required by the Board of Directors. The Treasurer shall perform all duties properly required by the Board of Directors or the Board President.

All sums received shall be deposited in a bank approved by the board, and the Treasurer shall make a report at the annual meeting or when called upon by the President. Funds may be drawn by the signature of the Treasurer, the President in the absence of the Treasurer, or any other board-authorized director.

### **ARTICLE VII**

#### **INDEMNIFICATION**

#### **7.01 Mandatory Indemnification**

The corporation shall indemnify a director or former director, who was wholly successful, on the merits or otherwise, in the defense of any proceeding to which he or she was a party because they are or were a director of the corporation against reasonable expenses incurred by them in connection with the proceedings.

#### **7.02 Permissible Indemnification**

The corporation shall indemnify a director or former director made a party to a proceeding because they are or were a director of the corporation, against liability incurred in the proceeding, if the determination to indemnify them has been made and payment has been authorized in the manner prescribed by law.

#### **7.03 Advance for Expenses**

Expenses incurred in defending a civil or criminal action, suit or proceeding may be paid by the corporation in advance of the final disposition of such action, suit or proceeding, as authorized by the Board of Directors in the specific case, upon receipt of (I) a written affirmation from the director, officer, employee or agent of his or her good faith belief that he or she is entitled to indemnification as authorized in this article, and (II) an undertaking by or on behalf of the director, officer, employee or agent to repay such amount, unless it shall ultimately be determined that they are entitled to be indemnified by the corporation in these bylaws.

#### **7.04 Indemnification of Agents and Employees**

The corporation may indemnify and advance expenses to an employee or agent of the corporation who is not a director, consistent with Washington State Law and public policy, provided that such indemnification, and the scope of such indemnification, is set forth by the general or specific action of the board or by contract.

### **ARTICLE VIII**

#### **BOOKS AND RECORDS**

The corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of all meetings of its Board of Directors, a record of all actions taken by Board of Directors without a meeting, and a record of all actions

taken by committees of the board. In addition, the corporation shall keep a copy of the corporation's Articles of Incorporation and bylaws as amended to date.

## **ARTICLE IX**

### **CONTRACTS, BANKING AND RELATED MATTERS**

#### **9.01 Contracts and other Writings**

Except as otherwise provided by resolution of the board or board policy, all contracts, deeds, leases, mortgages, grants, and other agreements of the corporation shall be executed on its behalf by whomever the corporation has delegated authority.

#### **9.02 Checks, Drafts**

All checks, drafts, or other orders for payment of money, notes, or other evidence of indebtedness issued in the name of the corporation, shall be signed by such officer or officers, agent or agents, of the corporation and in such manner as shall from time to time be determined by resolution of the board.

#### **9.03 Deposits**

All funds of the corporation not otherwise employed shall be deposited from time to time to the credit of the corporation in such banks or other depositories as the board may select.

#### **9.04 Loans**

No loans shall be contracted on behalf of the corporation and no evidence of indebtedness shall be issued in its name unless authorized by resolution of the board. Such authority may be general or confined to specific instances.

## **ARTICLE X**

### **MISCELLANEOUS**

#### **10.01 Fiscal Year**

The fiscal year of the corporation shall be from January 1 to December 31 of each year.

#### **10.02 Conflict of Interest**

The board shall adopt and periodically review a Conflict of Interest policy to protect the corporation's interest when it is contemplating any transaction or arrangement which may benefit any director, officer, employee, affiliate, or member of a committee with board-delegated powers.

#### **10.03 Nondiscrimination Policy**

The corporation and its agents will not practice or permit discrimination on the basis of gender or gender expression, sexual orientation, age, race, color, national origin, religion, physical handicap or disability, or any basis prohibited by law.

#### **10.04 Dissolution**

Upon dissolution of the corporation, distribution of the assets shall be determined by the Board of Directors and carried out in accordance with the Articles of Incorporation.

## **ARTICLE X1**

### **AMENDMENTS**

#### **11.01 Articles of Incorporation Amendments**

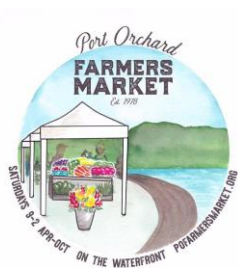
Any amendment to the Articles of Incorporation may be adopted by approval of two-thirds (2/3) of the Board of Directors.

#### **11.02 Bylaws Amendments**

These bylaws may be amended, altered, repealed, or restated by a vote of the majority of the Board of Directors then in office at a meeting of the board, provided, however,

- (a) that no amendment shall be made to these bylaws which would cause the corporation to cease to qualify as an exempt corporation under Section 501 (c)(3) of the Internal Revenue Code of 1986, or the corresponding section of any future Federal tax code; and,
- (b) that an amendment does not affect the voting rights of directors. An amendment that does affect the voting rights of directors further requires ratification by a two-thirds ( $\frac{2}{3}$ ) vote of a quorum of directors at a board meeting.
- (c) that all amendments be consistent with the Articles of Incorporation.

## “CHEAT SHEET” for POFM CREDIT/DEBIT and NUTRITION PROGRAMS: TOKENS, COUPONS, VOUCHERS



1. CUSTOMERS get them at the Market Booth.  
(*except WIC/Senior checks*)
2. VENDORS shall accept any that apply to the product or service they sell. Do NOT accept them if your product does not qualify for that token or voucher. Ask if not sure.
  - Turn them in at the Market Booth at the end of the day (*except WIC/Senior checks*) and get a check the next market day or automatic deposit thru Melio payments if you sign up for that. It's ok to hold them for a later week (*record them when you turn them in*). By the last day of the season ALL tokens and vouchers need to be turned in so you can be paid for them.
3. POFM pays all processing costs.

### ALL VENDORS ACCEPT THESE

#### CREDIT/ DEBIT CARD TOKENS (*wood*)



GOOD FOR any product or service

Vendor makes change as needed.

-----  
If Vendor has their own card processing, they may offer it to the customer but if the customer prefers to use the tokens, vendor will accept them.

### FOR FARMERS and PROCESSORS ONLY

#### SNAP EBT TOKENS (*plastic*)



GOOD FOR foods and edible plants and seeds.

NOT GOOD FOR Beer, Wine, Liquor or Prepared Foods (hot) for immediate consumption.

No change given.

-----  
SNAP (Supplemental Nutrition Assistance Program) EBT (Electronic Benefit Transfer) is a federal program.

### ONLY FARMERS ACCEPT THESE



## SNAP MARKET MATCH



POFM gives \$1Match for every \$1 of SNAP/EBT up to \$40

**GOOD FOR 1) fresh produce – fruit, veggies, herbs and 2) edible plants.**



**NOT GOOD FOR honey, eggs, meat, seafood or any other food.**

No change given.

## POWER OF PRODUCE - POP BUCKS



**GOOD FOR fresh produce – fruit, veggies, herbs and edible plants.**



**NOT GOOD FOR honey, eggs, meat, seafood or any other food.**

No change given.

POFM Power Of Produce (POP) Kids Club is held on the 2nd Sat. of each month and gives kids educational activities and challenges to try fresh market produce. POP Club kids earn POP Bucks vouchers to spend in the market.

## WIC and SENIOR FARMERS MARKET NUTRITION PROGRAMS

<p>WA State WIC Farmers Market Nutrition Program Washington State Department of Health P.O. Box 47800 Olympia, WA 98546-7800</p> <p>Pay to the order of: <b>Washington WIC FMNP Authorized Grower \$4.00</b> FOUR DOLLARS and no/100 Tax Exempt</p> <p>• Use only for eligible fresh fruits, fresh vegetables, and fresh cut herbs • Honey is not an eligible food for WIC • Use only where the "WIC and Senior FMNP Benefits Welcome Here" sign is posted by growers at authorized Farmers Markets or Farm Stores • Call 1-800-841-1410 for FMNP information • Authorized Grower: Stamp and redeem check by November 15, 2022</p>	<p>United Community Bank Marietta, Georgia</p> <p>XXXXXXX</p> <table border="1"> <tr> <th>First Day to Use</th> <th>Last Day to Use</th> </tr> <tr> <td>June 01, 2022</td> <td>October 31, 2022</td> </tr> </table> <p>Payment denied if stamp ID is missing or incorrect, or if the ID is handwritten.</p> <p>Stamp authorized 8 Digit FMNP ID number here</p>	First Day to Use	Last Day to Use	June 01, 2022	October 31, 2022
First Day to Use	Last Day to Use				
June 01, 2022	October 31, 2022				



**GOOD FOR fresh produce only – fruit, veggies, herbs, no other foods except, GOOD FOR honey, but ONLY for SENIOR, (not WIC) checks.**

**NOT GOOD FOR any other food.**

No change given.

Farmer must be a DOH authorized grower with valid assigned grower # to accept and cash checks.

Do NOT turn into the Market Booth with other tokens or vouchers.

DO record them on your sales report.

<p>Washington State Senior Farmers Market Nutrition Program Department of Social and Health Services Aging and Long-Term Support Administration</p> <p>UNITED COMMUNITY BANK Marietta, Georgia</p> <p>XXXXXXX</p> <table border="1"> <tr> <th>FIRST DAY OF USE</th> <th>LAST DAY OF USE</th> </tr> <tr> <td>June 1, 2022</td> <td>October 31, 2022</td> </tr> </table> <p>THE ORDER OF Washington SEMNP Authorized Grower \$4.00 FOUR DOLLARS AND NO/100 TAX EXEMPT</p> <p>Good for only fresh fruits, vegetables, approved honey and herbs. Not Good at Grocery stores. Valid only at Authorized Farmers Markets and Farm Stands. No change will be given. For information, call 1-800-422-3263</p> <p>Authorized Grower - Redeem check by 11/15/2022</p> <p>Sponsored by the Washington State Department of Social &amp; Health Services and the U.S. Department of Agriculture</p>	FIRST DAY OF USE	LAST DAY OF USE	June 1, 2022	October 31, 2022	<p>STAMP AUTHORIZED ID NUMBER HERE</p> <p>Payment will be denied without the Washington Farmers Market Authorized ID Stamp</p>
FIRST DAY OF USE	LAST DAY OF USE				
June 1, 2022	October 31, 2022				

## Promote your Business on the POFM Facebook Page

**POFM Facebook Page** <https://www.facebook.com/PortOrchardFarmersMarket/>

This is our social media platform. We have over 6400 followers.

FB is where we post Events, Music, new vendors and products, and features like our Vendor Spotlight. It is available to our vendors too to post on as well.

If you are a FB user please:

- ☐ like the POFM Page
- ☐ share POFM posts
- ☐ send us photos of your business / people if you want us to post them on our page

We encourage you to promote your business on our FB page. You don't have to be a FB user to do this, we'll help, but please give us a few days' notice.

- ☐ Vendors can post on the POFM page, but it shows up on a "sidebar" so for good visibility it is better to let us know you have something you want to share (your story, a sale, new product, etc.) because the FB administrators can make your post more visible.
  - To do this go ahead and put your post on your own page and then Message us so we can re-post it to be more prominent. OR, you can Message us text and any photos and we'll put it together.
- ☐ If you don't have a FB page or don't use FB, just tell us what you want the public to know and we'll post it for you. You can call (360) 602-1022 and leave it as a message or email info to [manager@pofarmersmarket.org](mailto:manager@pofarmersmarket.org) and [secretary@pofarmersmarket.org](mailto:secretary@pofarmersmarket.org)

To send POFM FB administrators a message – click on "send message" on our FB page or message us via FB Messenger or Instagram.

*Please note, in the interest of fairness and not overwhelming our followers with too many posts, we may limit or space out the timing of posts. Our goal is to get more customers to the market, not give them POFM FB post fatigue.*

# RESOURCES FOR PORT ORCHARD FARMERS MARKET VENDORS

This document is intended to be a helpful tool, but we do not guarantee the completeness or accuracy of this document. Regulations and websites change. It is ultimately each Vendors responsibility to follow the laws and regulations required of their business. If in doubt, first go to the WA State Business License Wizard and, if you handle food of any kind also call the Kitsap County Health Dept.

## INFO FOR ALL VENDORS

### **WA State Business License (UBI) -**

- ❑ You need a license if you meet 1 or more of the following criteria:
  - Your business grosses \$12,000 or more per year.
  - You're doing business using a name other than your full legal name.
  - You have or plan to hire employees within the next 90 days.
  - You sell a product or provide a service that is taxable.
- ❑ What licenses and endorsements do I need? <http://www.bls.dor.wa.gov/licensing.aspx>
- ❑ Chart of Licenses and permits needed to sell at farmers markets:  
<http://www.wafarmersmarkettoolkit-org.wafarmersmarkets.org/wp-content/uploads/2016/09/Ch5-Licenses-to-Sell-at-WA-FM-April-2016.pdf>
- ❑ Business License Wizard <https://secure.dor.wa.gov/gteunauth/>
- ❑ Get a license or endorsement online. <https://bls.dor.wa.gov/file.aspx>

If you do need a special endorsement – you can usually do this as part of your WA State licensing, online.

**Port Orchard City Business License -** The city requires an annual business license EXCEPT for members of the Port Orchard Farmers Market who ONLY sell at the Farmers Market and nowhere else in the city limits. If you need a license, you can add it to your WA State license.

- ❑ Get a license. <http://bls.dor.wa.gov/cities/portorchard.aspx>
- ❑ City and County license. <https://bls.dor.wa.gov/citycounty.aspx>

**Kitsap County – no business license**

**WSFMA – Washington State Farmers Market Association** – we are a member market and so we, and therefore our vendors, must follow the “Roots Guidelines”

- ❑ WSFMA home page with links <http://wafarmersmarkets.org/>
- ❑ Small Farm and Direct Marketing Handbook  
<https://agr.wa.gov/marketing/smallfarm/greenbook/>
- ❑ “Roots Guidelines” <http://wafarmersmarkets.org/wsfma-rootsmemberguidelines/>
- ❑ Canopy Safety – tips <http://www.wafarmersmarkettoolkit-org.wafarmersmarkets.org/wp-content/uploads/2016/09/WSFMA-Canopy-Safety-101-3.pdf>

## **INFO FOR FARMERS - GENERAL**

Farmers are exempt from a WA State Business License (UBI) only if ALL the following are true:

1. you sell less than \$12,000 a year
2. you only sell fresh harvested vegetables and fruits you grew yourself, and do not alter or process them in any way (meaning, all you do is harvest them, trim and rinse the dirt off, nothing else) and
3. sell them by the piece or bundle or bag, not by weight.

Many types of farm products other than fresh vegetables do require various state or county licenses / permits along with a WA State business license. See various resources listed to make sure you comply. Farmers may have to look at regulations of WSDA, US Dept of Agriculture, Local Health Department.

### **Farmers Market Nutrition Programs- WIC / Senior:**

<https://www.doh.wa.gov/YouandYourFamily/WIC/FarmersMarket>

### **WSDA – WA State Dept. of Agriculture**

- ❑ Home page – has links to all kinds of info about various agricultural products, including permits, inspections, laws, etc. <https://agr.wa.gov/>
- ❑ Small Farm and Direct Marketing Handbook (aka “the green book”) <https://agr.wa.gov/fp/pubs/docs/056->
- ❑ Running a farm business <https://agr.wa.gov/Marketing/SmallFarm/greenbook/docs/4.pdf>

# **LICENSING AND REGULATION INFO**

## **FOR SPECIFIC PRODUCTS**

**Any vendor who weighs or measures product -**

- ☐ weighing and measuring devices <http://bls.dor.wa.gov/weightsandmeasures.aspx>

**If you sell any kind of edible product – read this**

- ☐ Kitsap County Health Dept.  
[https://www.kitsappublichealth.org/FoodSafety/files/feetype/Factsheet\\_FarmersMkt\\_W\\_201114.pdf](https://www.kitsappublichealth.org/FoodSafety/files/feetype/Factsheet_FarmersMkt_W_201114.pdf)

**Fresh Fruits and Vegetables -**

- ☐ Selling fresh fruits and vegetables  
<https://agr.wa.gov/Marketing/SmallFarm/greenbook/docs/28.pdf>

**EGG Handlers -**

- ☐ License endorsement <https://bls.dor.wa.gov/eggdealer.aspx>
- ☐ Selling Eggs: <https://agr.wa.gov/departments/food-safety/food-safety/eggs>

**Honey -**

- ☐ <https://agr.wa.gov/marketing/smallfarm/greenbook/docs/31.pdf>
- ☐ law <http://apps.leg.wa.gov/RCW/default.aspx?cite=69.28>

**Dairy Products -**

- ☐ <https://agr.wa.gov/FoodAnimal/Dairy/default.aspx>

**Shellfish -**

- ☐ <https://www.doh.wa.gov/CommunityandEnvironment/Shellfish/CommercialShellfish>
- ☐ [http://www.kitsappublichealth.org/environment/shellfish\\_safety.php](http://www.kitsappublichealth.org/environment/shellfish_safety.php)

**Plants and Flowers -**

- ☐ Selling Nursery products: <https://agr.wa.gov/Marketing/SmallFarm/greenbook/docs/33.pdf>
- ☐ Special License endorsement. (to grow or sell) <http://bls.dor.wa.gov/nursery.aspx>
- ☐ may not sell items on the WA State Noxious Weeds list <https://www.nwcb.wa.gov/printable-noxious-weed-list>
- ☐ may not sell items on the WA State Plant Quarantine list <https://www.nwcb.wa.gov/noxious-weed-quarantine-list>

**Food – Processors and prepared food** vendors must meet all food safety & health requirements and may require a WSDA Processors License, a Food Handlers card and valid Temporary Food Establishment Permit.

- ☐ Kitsap County Health Dept.

- food safety <http://www.kitsappublichealth.org/FoodSafety/>
- resources [http://www.kitsappublichealth.org/FoodSafety/food\\_resources.php](http://www.kitsappublichealth.org/FoodSafety/food_resources.php)
- temporary food vendors (farmers markets)  
[http://www.kitsappublichealth.org/FoodSafety/food\\_vendors.php](http://www.kitsappublichealth.org/FoodSafety/food_vendors.php)
- food worker cards [http://www.kitsappublichealth.org/FoodSafety/food\\_cards.php](http://www.kitsappublichealth.org/FoodSafety/food_cards.php)
- ☐ State of WA
  - food worker card  
<https://www.doh.wa.gov/CommunityandEnvironment/Food/FoodWorkerandIndustry/FoodWorkerCard>
  - regulations for food processors  
<https://agr.wa.gov/marketing/smallfarm/greenbook/Processing.aspx>
  - selling ready to eat foods <https://agr.wa.gov/Marketing/SmallFarm/greenbook/docs/37.pdf>
  - cottage foods (food prepared in home kitchens for sale)  
<https://agr.wa.gov/foodanimal/cottagefoodoperation/default.aspx>

### **Alcoholic beverages -**

- ☐ Selling alcoholic beverages at farmers markets  
<https://agr.wa.gov/Marketing/SmallFarm/greenbook/docs/41.pdf>
- ☐ WA State special license <https://lcb.wa.gov/licensing/special-licenses-and-permits>

## **MISCELLANEOUS**

### **Other Farmers Market and Agriculture Support / Memberships**

- ☐ KCAA Kitsap Community and Agricultural Alliance
  - <http://kitsapag.org/>
- ☐ Farmers Market Coalition
  - Tips - Selling at WA State Farmers Markets <https://farmersmarketcoalition.org/wp-content/uploads/2014/12/Selling-at-Farmers-Markets-in-WA-state.pdf>