

# 2024 TELLURIDE FARMERS' MARKET RULES, REGULATIONS & GUIDELINES

*The goals and objectives of the Telluride Farmers' Market (TFM) are: to provide a cooperative environment for growers, producers and artisans to merchandise and interact directly with consumers; and to create a stimulating and educational shopping place for the public to engage in their food-shed as a living, sustainable reality.*

## **MEMBERSHIP/ VENDORS**

Vendors of the Telluride Farmers' Market must reside, grow, produce and hand-make their products within a 100-mile radius (as the crow flies) from Telluride. The Telluride Farmers' Market Board (TFMB) may address requests for variances. To apply and sell at the TFM, a vendor must submit an application, copies of all applicable certifications, a vendor's statement of practices, product lists, proof of necessary insurance and applicable fees. All products should adhere to sustainable, organic and eco-conscious principles, and vendors will be chosen based on these principles. The TFMB reserves the right to reject any application that cannot show adherence to a strict organic, similar or better growing practice. Food (produce, meat, fruit and prepared food) vendors will take first priority of up to 75% of vendor spaces with the remaining 25% to be filled by artisans and non-profits.

All products must follow CO State guidelines. Please refer to <http://cofarmtomarket.com/> for more information or contact our health inspector Chris Smith [chris@sanmiguelcounty.org](mailto:chris@sanmiguelcounty.org) if you need assistance.

All vendors are required to submit a product list (including ingredients and where they are sourced from). Returning vendors with no product changes will indicate that on their application, however, a complete list must still be submitted with application. If you are a returning vendor with new products, please note on your application which items are new. If new products are requested, approval is needed- please submit a separate product sheet for consideration. All products must be approved by TFM so that we can minimize product saturation. The TFM Board and Staff review each application and all product lists. Any item on the product list must be available for sale a minimum of 75% of the time said vendor is attending the Market. If a vendor wants to add items during the season- a supplemental list and formal request must be sent to the TFM Manager, who will pass along to the board for consideration. Staff does check booths, throughout the season, for products listed with application.

## **SELLABLE ITEMS:**

### **Unprocessed Agricultural Products:**

This category includes fruits, vegetables, grains, flowers, bedding plants, and potted plants. All products sold at the market must be grown within a 100-mile radius of Telluride and must be certified organic or certified naturally grown. If you grow in accordance with these standards but do not currently hold certification, you may request an exemption contingent upon a TFM field inspection of your farm or garden. Non-certified growers must not spray or use any non-organic approved herbicide, fertilizer, fungicide or pesticide in, on, near, or around products grown for TFM. Sellers must grow plants from seed, plug, cutting, bulb or bare-root.

**Documentation Required:** *Provide copies of your organic or certified naturally grown paperwork or apply to TFM for exemption. If you are not certified, provide a Growers Statement that indicates all products used in the production of your items. Non-certified producers must provide evidence of organic seed, fertilizer, and pest control (or proof of a management system that serves these functions) sources on three occasions during the market season. A TFM representative will strive to conduct farm inspections at least once per season.*

*All Unprocessed Agricultural Products sold at the market will be subject to these rules, including CSA shares.*

### **Prepared Foods/Value-added Agricultural Products:**

Concessionaires must make everything they sell (i.e. no canned sodas, bottled water, bagged chips or the like) so that we lessen negative impacts to Telluride businesses. Menu items must be approved by TFM and prices should be listed. Additionally (see ZERO WASTE) disposable food service items including but not limited to bags, plates, cups, flatware etc. must be minimized and be made of an eco-conscious material that can be recycled in Telluride.

With respect to the TFM's goal of creating a sustainable community and educating the public about local foods, a minimum of 75% of the volume of all ingredients must be certified organic, certified naturally grown or equivalent environmentally conscious ingredients sourced as locally as possible. Vendors are encouraged to exceed the 75% organic minimum. Vendors must provide TFM with a list of all ingredients used in each menu item with a breakdown showing that at least 75% of the volume or weight of the product must be organic. Genetically Modified Organisms (including products and

plants) are not permitted at the market and may not be included in the 25% conventional allowance. Vendors must provide TFM with proof of each ingredient's origin on three different occasions during the season (prior to the first market, by August 15, and lastly by September 26. TFM staff may request supplemental ingredient and source lists randomly). Invoices, receipts, or other means of showing proof of origin will be accepted. TFM will give ample time between request for receipts/invoices and submission date.

Ingredient lists for every item sold at your booth must be available for inspection by the public.

***Documentation Required:*** Vendors selling prepared or value added foods must provide proof of your commercial kitchen and Retail Food Establishment license or maintain compliance with the provisions of the Cottage Food Act. Additionally, vendors need to include with their application a list of all menu ingredients and source of origin. The TFM Manager meets with the San Miguel County Health Inspector prior to Market start date to review the "good standing" of the current year prepared food applicants/vendors. A TFM representative reserves the right to conduct inspections at least once per season.

### **Meats/Animal Foods:**

Animal foods producers (both new and returning vendors) do not need to be certified organic or certified naturally grown; however, only producers adhering to holistic management/grass/pasture-based systems will be considered. This includes using organic feed for all animals being butchered and sold at TFM. The same applies to livestock by-products (such as eggs and cheese), as well as value-added products (such as lard, broths, half and whole animals contracted through the market, etc.). Meat Vendors must not spray or use any non-organic approved herbicide, fertilizer, fungicide or pesticide in, on, near, or around land used to produce meat for TFM. Any meat sold must be processed in a USDA-inspected facility, except for poultry, which has a federal exemption. However, poultry must be processed at a Colorado Dept. of Agriculture inspected facility and the product label must be in accordance with the federal exemption. Vendors must abide by all applicable federal, state, and local health regulations and adhere to all federal or other regulatory label guidelines. Please refer to <http://cofarmtomarket.com/> for more information or contact our health inspector Chris Smith at [chriss@sanmiguelcounty.org](mailto:chriss@sanmiguelcounty.org).

***Documentation Required:*** Animal Foods producers must include a statement explaining their adherence to holistic management/grass/pasture-based systems as



well as any required licenses. Animal foods producers must provide evidence of organic feed sources on three occasions during the market season. A TFM representative will strive to conduct farm inspections at least once per season.

### **Artisans:**

Only handmade crafts designed and created by the vendor or a member of the seller's immediate family or by members of an artists' cooperative for which the seller acts as representative may be considered. Resale by artisan/craft vendors is not permitted. Preference will be given to those artisans using sustainable and eco-conscious materials. Craft vendors (vendors whose handmade items do not include product for consumption) will be admitted as space allows and at the discretion of the TFMB. Craft vendors will be limited to no more than 25% of the markets' full time membership. All rules and regulations apply. Simple services (e.g. massage) of use to our customers are also welcomed at the market

**Documentation Required:** *Artisans are required to include a statement describing your craft and its adherence to TFM's standards. Please also provide images (videos are welcome), showing you creating your products.*

### **Non-Profit and Community Service Organizations:**

TFM offers booth space to a limited number of nonprofit and community-service oriented organizations that are educating the public about their organization. Nonprofits related to food and agriculture will be given priority but all non-profits will be considered. Nonprofits are subject to the \$25 application fee plus \$25/day. Items may be sold if they do not compete with seasonal TFM vendors, are sustainable and eco-conscious, and are relevant to the education being provided by the non-profit organization. Items sold must be approved by the TFMB in the application process. All organizations must keep track of sales of taxable items and are subject to the 2% market fee.

### **Branded Merchandise:** (Include on product list)

Branded items (e.g. tee-shirts, caps, shopping bags) that display the vendor's logo and/or company name may be sold or given away at the market regardless of origin though TFM encourages vendors to use organic materials and requires these items to be made in the USA.

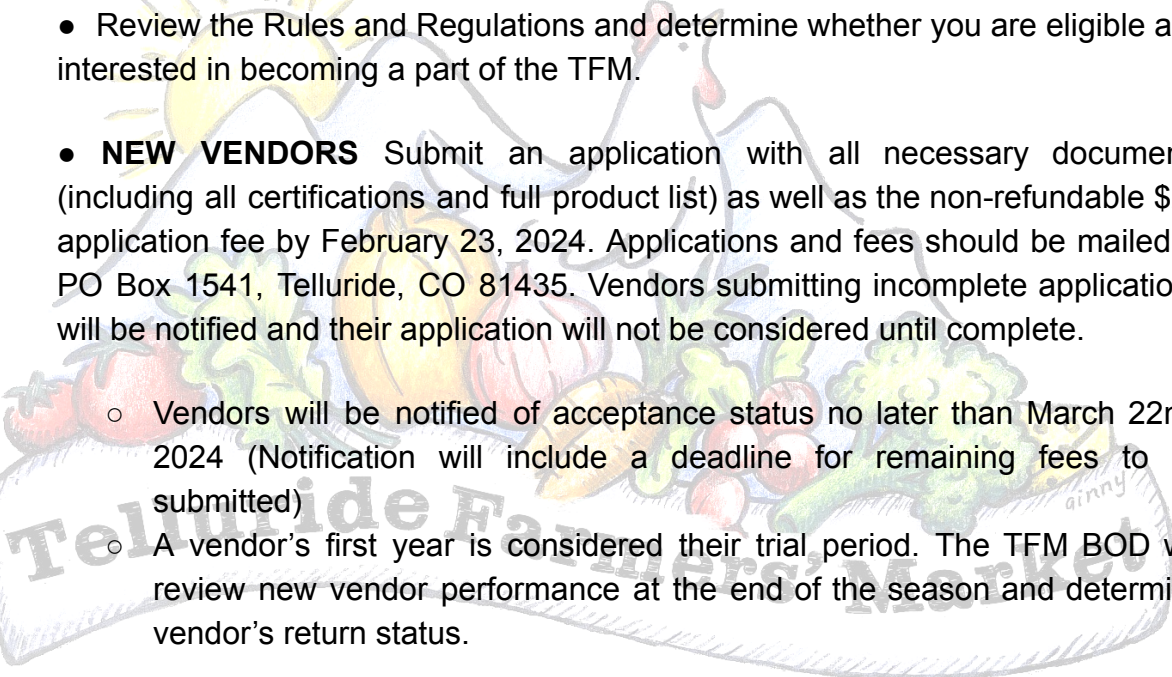


## Commissioned Orders:

When contact with customers is initially made at the TFM, all commissioned/ordered items are subject to the 2% TFM percentage fee. This rule applies to all commissioned orders where the item is ordered and delivered at the TFM. This includes special orders of meats, artwork, etc. Please report any special orders to the Market Manager via email the day the order is made, include any pricing details.

## CSA- Please respect Market hours for CSA pickup.

## APPLICATION PROCESS

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- Review the Rules and Regulations and determine whether you are eligible and interested in becoming a part of the TFM.
  - **NEW VENDORS** Submit an application with all necessary documents (including all certifications and full product list) as well as the non-refundable \$25 application fee by February 23, 2024. Applications and fees should be mailed to PO Box 1541, Telluride, CO 81435. Vendors submitting incomplete applications will be notified and their application will not be considered until complete.
    - Vendors will be notified of acceptance status no later than March 22nd, 2024 (Notification will include a deadline for remaining fees to be submitted)
    - A vendor's first year is considered their trial period. The TFM BOD will review new vendor performance at the end of the season and determine vendor's return status.
  - **RETURNING VENDORS** Submit your application with all necessary documents (including all certifications and full product list) , as well as the \$25 application fee, and booth fees by February 23rd. If all fees and dues are not received by that date - the booth space will not be held. Once accepted, any returning Vendor who has submitted fees late in the past will be required to submit an additional \$100 deposit which will be returned at the end of the season if all taxes and fees have been paid on time.
  - Any questions during the application process should be directed to Market Manager, at [telluridefarmersmarket@gmail.com](mailto:telluridefarmersmarket@gmail.com) or 609-917-4521.

**All accepted vendors will be required to attend a pre-season meeting to review the rules and regulations. Dates for this meeting will be provided in April.**

**TIME & PLACE:**

The market will be held on South Oak Street below Elk's Park and above the Gondola Plaza every Friday, June 7-October 13, from 10:30 a.m. to **3:30 p.m.** We strive to host all markets scheduled, but reserve the right to cancel *any* market due to unforeseen circumstances or weather events that would make holding the market unsafe. **TFM reserves the right to move your booth location for any reason.**

Vendors who sell items before the designated start time shall be fined \$25 per incident. This fee may come out of vendor deposits. One verbal warning will be given prior to fine.

**MARKET DAY ARRIVAL/DEPARTURE:**

Vendors should arrive between 8:00 a.m. and 10:00 a.m. All vendor tents should be set-up by 10:00 a.m. in preparation for the 10:30 market start time. All vehicles must be removed from South Oak Street by 10:00 a.m. Failure to do so will result in a \$25 fine per incident (one verbal warning shall be given prior to a fine). Vendors should contact the Market Manager at 609-917-4521 if they foresee being unable to be set up by 10:30 a.m.

While loading and unloading, vendors should park their cars off to the side as much as possible so that other vendors may pass. Vendors are expected to move their car off of Oak Street as soon as their car is unloaded/loaded. Vendors may not breakdown or set-up while their vehicle is on Oak Street. Cooperative help in navigating and taking direction is expected of all vendors. Idling for more than 30 seconds is forbidden in the Town of Telluride.

Breakdown can begin at 3:45 p.m. and ends at 5:30 p.m. Vendors are required to keep their tent and tent weights set-up and to maintain a presence at their booth for the entire duration of the market, from 10:30 a.m. to 3:30 p.m., for safety reasons and to maintain

market appearance. A vendor who collapses their tent before 3:45 p.m. will be subject to review by the TFMB and a \$25 fine (which may be taken out of a vendor's deposit).

## **BOOTH SPACES**

Each space at the market is 10' x 10'. No space is given between vendor tents. Vendors need to provide all tents and other supplies. The market supplies the street space only. Vendors are required to use straight-legged tents in order to stay within the boundaries of their 10x10' space.

All canopies must be weighted with a minimum of **35 lbs at each leg**. Tent weights must be in place immediately after erecting tent. A vendor may not participate in the market that day if they do not have adequate tent weights. A \$25 fine will be charged for booth spaces that fail to provide tent weights for their structure (which may be taken out of the vendor's deposit). This rule is in effect regardless of the weather that day. Flyaway tents are the leading cause of injury at farmers' markets across Colorado. Violation of this rule will not be tolerated. If a booth operates from a trailer, TFM requires the use of official tire chocks. These are to be placed in their appropriate locations before the trailer is unhitched from the vehicle. Failure to do so will result in a \$25 fine (which may be taken out of the vendor's deposit).

The sidewalk may be used minimally during setup and breakdown. Vendors should keep the sidewalk and any other space outside of their tent clear during the market hours of 10:30 a.m. to 3:30 p.m. Bikes, tables, chairs, coolers, etc. should not be leaned against the private property of our neighbors on Oak Street.

Dogs are prohibited in vendor booths, unless the appropriate application and deposit has been submitted by vendor and approval has been issued by a TFM staff or board member. This policy is in place for safety and health code reasons. The limited dog permits will be issued to those vendors traveling the farthest to attend the market and whose pets cannot be left alone for Market hours plus travel time.

Returning members may request the same stall space as the previous season. This is not a guarantee and will be subject to the needs of TFM.



## FEE STRUCTURE

TFM charges a booth fee as well as a market fee of 2% of gross sales. Fees are collected as a fair communal contribution towards market operations.

### Required Fees:

- Application Fee: \$25 - due with application
- Market Fee: 2% of all sales (All Vendors- includes nonprofits)
- Umbrella Business License Fee: \$45/\$20 (See “Umbrella Business License Fee” below)
- Full Season Vendor Booth: \$250 per booth (MUST ATTEND 17 out of 20 markets)
- Partial Season Vendor Booth: \$325 per booth (MUST ATTEND 15 out of 20 markets)
- Daily Vendor Booth: \$50 per booth per day and a \$100 deposit. Please note that daily booth fee increases to 75\$ on June 16 & 23, July 7, and September 1 & 15.
- Non-profit Vendor Booth: 25\$/day

### Fines for Missed Dates:

Full Season and Partial Season Vendors who miss more days than the allowance given with their membership will pay a \$40 fine per day missed.

All vendors need to cancel by 10:30 a.m. on the Thursday before market or they will be charged a \$40 fine. Fines may be deducted from vendor deposits.

### **Deposits:**

A \$100 deposit will be charged to all Full Season, Partial Season and Daily vendors who have submitted taxes or fees late in past years. You will be notified of this deposit requirement on acceptance into the market. The deposit will be returned at the end of the season to vendors who meet their attendance requirement and have submitted all fees and taxes on time. The deposit will be used towards fines for vendors who do not meet their attendance or other market requirements.

TFM Manager will issue invoices and receipts for payment regarding year-to-date financial standings at the beginning of the season. Vendors are still required to make payments on time to avoid penalty.

### **Umbrella Business License Fee:**

Vendors have the option of purchasing their own business license with the Town of Telluride or using the TFM's umbrella business license. If you opt to use the market's umbrella license, the market will collect and remit town taxes on your behalf. The TFM charges a one-time annual fee of \$45 to use its umbrella business license. Daily vendors will be charged a \$20 fee for a single use of the umbrella business license. This fee helps to cover the expense that the market incurs from administering the payment of your town taxes. NOTE: Vendors who do business outside of TFM in Telluride are not permitted to use the TFM's umbrella license and must purchase their own business license.

Accepted vendor booth fees are due by **May 6, 2024**. If a vendor decides not to attend the market after acceptance, there is no refund.

### **MARKET SEASON PAYMENT PROCEDURES**

Full Season and Partial Season vendors will be given an invoice template for the current month on the first Friday of each month. The invoice with payment is due back to the Market Manager at the first market of the following month. Payment is considered late after the second market of the month. A \$25 fine will be charged to any vendor who has not paid by the second market. **An additional \$25 will be charged to any vendor who has not paid by the 20th. Any account that is not settled after the 25th of the month will be subject to an additional \$50 fine and review by the TFMB. If a vendor is operating under the market's umbrella business license, the vendor is also subject to additional fines by the Town of Telluride. (Fines may be deducted from vendor deposits).**

Daily vendors will be given an invoice by email or in-person and are expected to have payment received by the first week of the next month.

## **MARKET VOUCHERS**

The TFM participates in SNAP (Supplemental Nutrition Assistance Program), Double Up, WIC (Women Infants and Children) and Family Wellness market voucher programs. Vendors selling food for home consumption may collect and remit SNAP vouchers. Vendors selling fresh fruits and vegetables may collect and remit WIC vouchers. All vendors should accept Market Bucks. Vouchers should be turned into the Market Manager for reimbursement in a timely fashion. No reimbursement will take place after October 31, 2024, however vendors are encouraged to redeem reimbursements weekly.

## **SALES TAX**

Colorado state law requires participating vendors to register with the CO State Department of Taxation, and also requires market participants to account for and report sales tax collected. The Town of Telluride sales tax is 4.5% for all items sold with an additional excise tax of 2% for concessions (prepared food). Those businesses with their own TOT business license will be expected to pay their own TOT sales tax. For retail sales and concession sales, San Miguel County sales tax is 1% and State of Colorado sales tax is 2.9%. Recently added is the SMART tax of .25%, payable to the state. TFM vendors are responsible for and accountable to pay all federal, state and county taxes. Town of Telluride taxes are the only taxes that TFM is involved with collecting. Final remittance for the year is due on or before October 18, 2024. Those who are unable to satisfy the final remittance will be subject to standard TFM fines (see Payment Procedures) and will be subject to review by the TFMB.



## RESALE/NON-PRODUCT LIST ITEMS

The TFM will consider a farm vendor's request to re-sell a product if the product is not available for sale at the market by another vendor on the same day the vendor wishes to resell. The product must adhere to all TFM standards and regulations.

### Resale Procedures:

- Provide the Market Manager with a copy of your Colorado Resale License.
- Email the Market Manager by the Monday before the market you wish to resell with your request. Include the name and contact information for the original grower as well as a statement explaining and verifying the grower's adherence to TFM's standards.
- The TFMB will review your request. The Market Manager will respond to you by the Wednesday before the market.
- All approved resale items must be identified with a sign no less than 5.5" x 8.5" which details the name, location and phone number of the original grower or producer. State law requires that the sign be displayed at all times during market business hours.

Resale is not permitted for non-farm vendors. Re-sale is not encouraged and will be approved only under special circumstances. Selling non-approved items at market will not be tolerated and is grounds for dismissal.

### LABELING

Those vendors who wish to identify their products as "organic" must enclose a current copy of their organic certification from an approved certifying agency with their application and should have an additional copy available at their booth for inspection by customers.

## **HEALTH REGULATIONS**

Agricultural products licensed, inspected, or otherwise regulated by the federal government, the State of Colorado, San Miguel County, or the Town of Telluride, may be sold only upon TFM's receipt and acceptance of required documentation of compliance. Specific rules on processing food and labeling shall be as required by San Miguel County or Colorado State Law. Contact San Miguel County Health Official Chris Smith at 970.728.0447 or [chriss@sanmiguelcounty.org](mailto:chriss@sanmiguelcounty.org) to make sure your product is acceptable. A copy of all applicable licenses must be included in your membership application.

## **FARM TOURS**

Field inspections may be performed by representatives of TFM to familiarize the manager and TFMB with vendor operations and to ensure that the vendor's items come from the stated point of origin. If a field inspection indicates that a vendor is not complying with the Rules and Regulations of TFM the situation will be reviewed by the TFMB and non-compliance could result in the vendor's removal from the market. Any fees paid to the market will not be refunded.

## **SAFETY AND CONDUCT**

In the cooperative nature of the market, vendors are expected to conduct themselves in a courteous and professional way that represents TFM. Courtesy and professionalism are expected amongst fellow vendors, customers and guests of the market, neighbors on Oak Street, and all market and town officials. All vendors must be onsite at the market to sell and explain their products.

Vendors are responsible for their selling area and especially making sure that their selling area is safe. All canopies and umbrellas must be weighted with a minimum of 35 lbs of weight at each leg (see Booth Spaces). Be aware that we do have erratic high winds and precipitation. S. Oak Street is also sloped in many sections so be ready to set up your tables and displays on angled surfaces.

Displays including tables are not to protrude beyond the allotted 10x10 space to ensure traffic safety throughout the market. Any sandwich signs must not impede traffic flow. Our attendance and traffic at the market are growing and the safety of our customers is of paramount importance. All vendors should keep the sidewalks clear for pedestrian traffic at all times. All cords in walkways or public areas should be appropriately taped

down or routed. Vendors are expected to respect the wishes of property owners along Oak St. TFM is a place of business and all staff, children, or visitors are expected to be kept under control and under supervision within a vendor's allotted 10x10 space. Dogs are not permitted with vendors.

## **COMMUNITY & COMPLAINTS**

Any seller who displays any harmful activity or is the subject of a consumer or vendor complaint will have his or her membership reviewed. The TFMB has the right to review and revoke any membership based on violations of TFM policies.

Procedure for Handling Violations:

If a vendor is in violation of TFM market regulations, the following actions will be taken:

1. The vendor will be asked by market management to immediately rectify the violation.
2. If the violation occurs again, the vendor will be asked by market management to immediately rectify the violation and a letter will be issued to the vendor reminding him or her of the market's policies, rules and regulations.
3. If the violation occurs a third time, TFM Market Management will issue a letter of dismissal to the vendor. The vendor may request a review by the TFMB within ten days but will be unable to attend the market again until the TFMB reviews the situation.
4. If a violation is severe, the TFMB has the right to dismiss a vendor from the market effective immediately.

Procedure for Handling Complaints:

TFM Market Management will officially respond to complaints and product challenges when notified of violations or suspected violations in writing. Telling the market manager verbally during the market does not constitute a formal complaint. If you wish to file a formal complaint against another vendor, you may use the procedure below. Your complaint will be kept anonymous. The TFM Market Manager may refer these to the TFMB.

1. Notify the TFM market manager of the nature of your complaint in writing by emailing [telluridefarmersmarket@gmail.com](mailto:telluridefarmersmarket@gmail.com) or by mailing a letter of complaint to TFM, PO Box 1541, Telluride, CO 81435.
2. TFM will review and investigate the complaint within ten days.



## **THREE STRIKES RULE**

**Should any vendor violate the rules and regulations 3 times, the TFMB reserves the right to ban said vendor from future markets. TFMB will review on a case by case basis.**

## **TRASH/CLEAN UP**

Sellers are responsible for their booth space and its surrounding perimeter. All prepared food vendors are required to have, maintain and remove their own trash and recycling containers at their booth (must adhere to ZERO-WASTE rules). Before leaving, be sure your area is clean and trash-free. If possible, leave it cleaner than you found it.

## **ZERO-WASTE**

All disposable food service items and packaging including but not limited to bags, plates, cups, flatware, etc. must be minimized in the first place, and be compostable or made of eco-conscious materials able to be recycled in the Town of Telluride and clearly labeled. Before leaving, please be sure your area is clean and trash free.

## **INSURANCE**

ALL vendors at the TFM will have to have commercial general liability (not excluding product liability insurance) and personal injury insurance in order for the market itself to be insured. Provide a copy of your certificate of insurance no later than May 24, 2024. Additionally, vendors are required to sign the TFM's Waiver of Liability, included with the TFM application.

## **PARKING**

Through the Town of Telluride, TFM offers 8 reserved parking spaces available for \$175 for the summer. If you are not purchasing a town parking space for \$175, please see the Town's general parking regulations by clicking [here](#) . Because of the limited number of parking spaces, they will be assigned to vendors based on seniority.

## **SAMPLING**

Vendors may offer samples of their produce and value-added foods provided that they practice good hygiene, proper sanitation and cleanliness. Vendors must obey the State and County Guidelines regarding sampling.

## **TFM VENDOR SELECTIVITY**

The TFMB reserves the right to manage all aspects of the Telluride Farmers' Market. This will be done by assessing quality and consistency of products offered. While Seniority at the market is considered, there is no guarantee of annual acceptance as a vendor at the Telluride Farmers Market. In addition, determinations will be made based on market demand, applicable laws and health codes, the Rules and Regulations of the TFM and the TFMB's discretion. Rules and regulations are subject to change for special event days and/or at the discretion and judgment of the TFMB.

## **TFM ORGANIZATION**

The Telluride Farmers' Market (TFM) is a project of the non-profit organization, Southwest Institute for Resilience (SWIRL). TFM is governed by SWIRL with assistance from the Telluride Farmers' Market Board (TFMB). SWIRL maintains annual agreements and an ongoing relationship with the Town of Telluride and the Town of Mountain Village and assists in marketing and educational aspects of the Telluride Farmers' Market.

