

PITT COUNTY FARMER'S MARKET

CONSTITUTION

ARTICLE I: NAME AND PURPOSE

SECTION A

NAME

The name of this market shall be the "Pitt County Farmer's Market".

SECTION B

PURPOSE

The purpose of this market is to provide a central location for county vendors of fresh produce to sell directly to the general public.

ARTICLE II: MEMBERSHIP

SECTION A

The membership of this market shall be those vendors who are in good standing and have paid the fees and dues as required by the market rules and procedures. Voting privileges shall be afforded to all members who have been a member for at least one year. Only one vote per membership shall be permitted.

ARTICLE III: LEADERSHIP

SECTION A

MANAGER

The manager shall be employed by Pitt County Government.

SECTION B

POLICY COMMITTEE

This committee shall make recommendations to the full membership concerning the operation of the market based upon the input of the total membership. The county extension director shall be an ex-officio, non-voting member of this committee. This committee shall consist of three active vendors to be elected by the total membership as set forth in the By-Laws.

## ARTICLE IV: MEMBERSHIP MEETINGS

The membership shall hold a business meeting on March 15 or the nearest working day before the opening of the market season. This annual meeting shall be for the purpose of making recommendations to the policy committee regarding market procedures, recommending policy changes to the policy committee, hearing reports of the past year, and caring for special items of business as necessary.

### SECTION A

#### NOTICE OF MEETINGS

Notice of all regular or special business membership meetings shall be sent by mail to all members postmarked at least one (1) week in written form postmarked at least three days before such meeting. The purpose of the meeting shall be indicated in each notice.

## ARTICLE V: AMENDMENTS

This Constitution may be amended at the annual business meeting of the membership by a three-fourths vote of those members present and voting, provided that each member has been given a written copy of the proposed amendment at least two (2) weeks in advance of the annual business meeting. Amendments shall become effective upon approval.

## ARTICLE VI

### SECTION A

This Constitution shall be published and a copy made available to each member.

### SECTION B

At no time shall this Constitution come into conflict with the policies established by the Pitt County Board of Commissioners.

## BY-LAWS

### PITT COUNTY BOARD OF COUNTY COMMISSIONERS

1. To approve the election of the policy committee as voted by the full membership.
2. To approve if necessary the recommendations as made by the policy committee.

## MANAGER

1. The manager of the market shall be the chief administrator of the market. In cooperation with the policy committee and the county extension director, he shall encourage and enforce the policies and procedures of the market as developed by the policy committee.
2. The manager shall be evaluated annually by the county extension director with input provided by the policy committee.

## POLICY COMMITTEE

1. The policy committee shall be comprised of three active market vendors. Terms shall be for three years. Members of this committee shall be elected every three years by mail ballots or at the annual meeting. In the event that a vacancy should occur in one of these three positions, a replacement shall be appointed by the Pitt County Board of County Commissioners upon the recommendation of the policy committee to serve out the remainder of said vacant term.

## FUNCTION OF THE POLICY COMMITTEE

1. The policy committee shall perform its duties according to the authority granted in these By-Laws or as delegated by the Board of County Commissioners.
2. The policy committee is charged by the Board of County Commissioners with the duty of recommending to the Board of County Commissioners the operating procedures of the market. The committee will review the general policies and procedures as recommended by the membership as set forth in the Constitution, By-Laws and other standing rules and procedures. The actions of the policy committee are at all times subject to review by the Board of County Commissioners and may be overruled by that Board if deemed necessary for the efficient operation of the market.
3. The specific functions of the policy committee are:
  - a. to approve the rules and procedures of the market;
  - b. to receive, consider, and regularly act upon reports from vendors, the public, and the market manager;
  - c. to consider and establish policy in harmony with general rules and procedures;
  - d. to recommend an annual budget to the Board of County Commissioners;
  - e. to determine and announce the opening and closing dates of the market;
  - f. to arrange and give notice of all meetings;

g. to hold special meetings as needed on request of the manager or the county extension director or six or more active vendors.

h. To determine a quorum of the vendors. A "quorum" shall consist of one more than one-half of the number of members in good standing. A quorum is necessary to conduct any business.

i. To conduct all business meetings using Robert's Rules of Order, as modified for small boards.

j. To determine eligibility of vendors based on adherence to the market rules. Rule violations shall result in revocation of privileges.

k. To ensure that the quality of produce at the market is acceptable for consumer demand, the policy committee shall monitor produce for sale at the market. Vendors may be disqualified from selling at the market upon three official notifications of unacceptable produce.

#### **QUALIFICATIONS AND RESPONSIBILITIES OF VENDORS**

1. To adhere to the rules and procedures and code of ethics of the market;
2. To produce a portion of produce within Pitt County;
3. Members in good standing shall be eligible for voting privileges after at least one (1) year of membership in the market.
4. Each vendor shall be responsible for keeping his or her selling area clean and neat.
5. Vendors must not misrepresent any product as to quality, price, origin, variety or amount. Vendors are expected to stand behind the sale of their product.
6. A member in "good standing" is defined as a vendor who has paid current dues and fees and has not had selling privileges revoked.
7. Each vendor is responsible for any and all taxes, insurance, adherence to all local, state, and federal laws, rules and regulations.

#### **MARKET RULES AND PROCEDURES**

1. Operation of the Pitt County Farmers' Market will be the joint responsibility of the Pitt County Cooperative Extension Service, manager, and the policy committee.
2. The dates of the selling season, days, and hours of operation of the market shall be set each year by the county extension director representative, the manager, and the policy committee.

3. Operating hours for the selling season shall be as follows: Tuesdays, Thursdays, and Saturdays 8 a.m. to 1 p.m. and Friday 8 a.m. to 3 p.m. Doors of the market will be opened one hour prior to the posted opening time to allow vendors to set up their booths.
4. Each vendor acknowledges that as an independent contractor, he or she is responsible for his or her own actions, and that Pitt County, its agents, and/or employees are in no way responsible for his or her acts or omissions.
5. The County of Pitt provides no warranty either expressed or implied on any product or commodity sold.
6. Meetings of the Farmers' Market vendors may be called as specified by the constitution and by-laws.
7. No alcoholic beverages will be permitted on the market premises. No profanity, abusive language, or disruptive or loud noise (tape units, radios) is permitted.
8. No flea market items will be allowed within the facility while it is in operation. Use of the market for other functions shall be based upon the discretion of the manager and the policy committee.
9. An annual membership fee of \$50.00 must be paid by each vendor before selling is permitted. An additional rental fee of \$5.00 per day is assessed for each space occupied.
10. If a booth contains produce, payment of fee is due even if the vendor is not present during the sale.
11. Each vendor may rent one booth on a first come basis with a second booth allowed based on availability.
12. Vendors shall be present at the market by 8:00 a.m. for the daily sale. If not, the vendor shall notify the manager prior to 8:00 a.m. Failure to do so will result in the loss of booth space and constitute a violation of these rules. Vendors should vacate by 10 minutes after closing.
13. If a vendor elects not to sell during the week but intends to sell on Saturday, he/she should contact the manager. The manager should be called prior to the close of the Thursday sales day.
14. A space of fifteen inches shall be left on each side of each booth (inside of the marked area), to allow customers to walk between each booth for better viewing of produce.
15. No dogs or animals will be allowed in the market building.

16. Washing of vegetables will not be allowed in the building.
17. No vendor is to approach customers while they are at the location of another vendor. No loud calling out of prices or hawking is permitted for customers.
18. Thermostats will be controlled by the market manager. Other electrical devices will be permitted only upon consent of the market manager.
19. Children are welcomed but must be supervised and not allowed to interfere with customers and/or vendors within the market.
20. No vendor shall deface or alter the market building or grounds (inside or outside). Any additions must be approved by the market manager.
21. Only one sign per vendor shall be allowed for display at the market. This sign is not to exceed 24 inches by 24 inches. **Line 1 should contain the business name and line 2 should contain the pricing.**

#### **AMENDMENTS**

These By-Laws may be amended by a three-fourths vote of the membership present and voting at the annual business meeting or any special called meeting, provided that each member has been given a written copy of the proposed amendment at least two (2) weeks in advance. Amendments shall become effective upon the adjournment of the meeting at which they are approved. These By-Laws shall be published and a copy made available to each member in good standing of the market.

This constitution and by-laws was approved by the Board of Commissioners on May 3, 1999.