

Farmers' Market of Wausau, INC

225780 Rib Mountain Drive #130

Wausau, WI 54401

2024 By-Laws of The Farmers' Market of Wausau, Inc.

Last revised March 2024

Article 1: Name:

Farmers' Market of Wausau, Inc. The farmer's market will be incorporated and will be called, Farmer's Market of Wausau, Inc.

Article 2: Principal address:

225780 Rib Mountain Drive #130

Wausau, WI 54401

Article 3: Purpose:

1. To provide a market facility to sell produce directly to consumers.
2. To establish and maintain market operating standards which inspire public confidence and support.
3. To provide publicity and promotional efforts to enhance the image and success of the market.

Article 4: Membership:

1. Membership is open to all without regard to race, color, creed, gender, gender expression, age, national origin, disability, marital status, sexual orientation, or military status, but is limited to 49 members.

2. To become a member you must complete an application and it must be received by the board or manager by March 1st of the current market season with a \$5.00 application fee. After you have completed an initial application there is no fee for subsequent applications, but application must be sent in annually until you obtain a permanent membership.

3. Each membership is on a family basis. Partnerships shall have one membership. Membership dues shall be \$15.00 per year. No individual shall have a financial interest in more than one membership, profiting directly from the sales of another vendor. A member who violates this rule will be terminated upon discovery of the violation.

4. Members shall pay \$175.00 per year (\$15.00 membership dues and \$160.00 stall fees) by March 1st of the current year to receive their assigned stall, which will remain the same as the previous season. A member may choose to move up or decline in the event a stall becomes vacant further up the line in which they are assigned. The vacant stall would be given to the next vendor wishing to move up from the same line.

5. No membership can be transferred to another person or persons without approval from the board of directors. Membership transfers within a family will be permitted. New family members will be subject to the current rules of the market.

6. Membership will terminate when:

A: Annual dues are not received by March 1st of the current market year.

B: Members who sell fewer than 5 times per annual season, will be subject to review by the board.

C: Members who refuse to follow the bylaws of the Farmer's Market of Wausau, Inc.

7. Non-members shall pay a \$25.00 fee per stall per day. Non-members may not occupy any stall prior to 8:00 am. They must register with and pay the market manager, who will assign a stall to them for that particular day only. The market manager can refuse any non-member a parking stall, when products they have are already being offered by at least four market members. Any non-member wishing to sell a large load of produce not offered by members will pay \$100.00 per stall per day. All market rules must be met by members as well as daily vendors (non-members).

#### Article 5: Meetings

1. The annual meeting of this organization shall be held during March, at such time and place as the directors shall determine.

2. A quorum at a member meeting shall not be less than 10% of the membership in order to conduct business.

3. Each membership is entitled to one vote. Non-members may not vote. Voting rights are held by the named member on the application. If a member wishes to vote by proxy, written notification naming the proxy must be received by the board of directors prior to the annual meeting.

4. Robert's Rules of order shall prevail in conduct of meetings.

5. Special meetings of the membership may be called at the discretion of the President. 3 members of the board or 10 members may request of the President a special meeting in writing.

6. Secretary shall notify all members of the annual meeting 2 weeks in advance and of the special meeting not less than 10 calendar days in advance.

7. These by-laws may be amended at the annual meeting:

A. With prior notice of proposed change, written in the annual letter, the amendment shall pass by a simple majority of members present.

B. Without prior notice of proposed change, the amendment shall pass by a 2/3 majority of members present.

#### Article 6: Officer and Officials

1. The direction of the organization shall be vested in a committee of 5 members (Board of Directors).

2. Directors shall be nominated from the floor and the ones with the highest number of votes shall be elected to a two year term. This shall be done at the annual meeting.

A. Unexpired terms shall be filled by appointment of the President until the next annual meeting, at which time the membership shall nominate and elect a replacement.

B. Two board members shall be elected in the odd numbered years and three board members shall be elected in the even numbered years, for a two year term. No board member may serve more than two consecutive terms without having at least one year off.

3. Following their election at the annual meeting, the Board of Directors shall on that day convene and elect from their membership a President, Vice-President, Secretary, and Treasurer.

4. The Board of Directors shall transact all business of the organization, secure the market site, establish policy regulating the market and approve an annual budget. An accounting of the market operations and funds shall be presented to the treasurer and board of directors monthly and at the annual meeting, or a special meeting if so required. All members of the Board shall receive free parking to one stall as compensation of mileage to the market.

5. The President shall preside at all meetings of the organization and shall appoint committees as necessary to promote the interest of the organization.

6. The Vice-President of the organization shall preside in the absence of the President and shall be in charge of advertising/promotional efforts for the benefit of the members.

7. The Treasurer shall be responsible for all organizational funds, budget preparation, and annually submit the records for audit.

8. The Secretary shall keep minutes of all meetings and notify all members no less than 14 days in advance of the annual meeting.

9. The Board of Directors shall be responsible for all restroom arrangements, which will include one unit from mid-May thru November, and two units from July 15th thru October 15th.

10. The Board of Directors may hire a market manager and determine hours, pay, and job description to perform such duties and exercise such authority as the Board may specify, including but not limited to: general control over market premises, collection of additional stall fees from members and daily fees from non-members on any given day. They shall give a receipt to members or non-members and also turn in duplicates to the treasurer with payment. The market manager(s) will be responsible for the interpretation and or application of the market regulations. Salary to be discussed and approved by the body at the annual meeting.

11. The Board of Directors will allow new members into the market according to the date in which their applications were received. The Board may grant preference to applicants that provide unique offerings, for every other vacancy opportunity. The Board is to present nominations to the members for consideration at the annual meeting. Applications not including produce will be subject to approval by the Board of Directors. All persons who desire to become a member shall fill out an application.

#### Article 7: Market Regulations

1. All members will receive a stall card, which must be carried on the person or be available upon request as proof of membership. In the event no proof is provided the vendor may be asked to leave the market.

2. All members will be covered by liability insurance (premises and property) provided by the association. All vendors need to carry their own liability insurance, should someone get hurt by their stand.

3. The market will be open every Wednesday and Saturday from 7:00 am until produce is sold beginning the first Saturday of May thru mid November.

4. Stall size shall be 15 feet in width (full length of stall). There shall be a 3 foot walkway on the west (river side) of each stall unless they have purchased an adjoining stall. Display space not to exceed 12 feet wide and 10 feet deep (measured from rear bumper), amended to depth perception at the choice of the market manager. Not more than one vehicle/truck per stall. Vendors shall keep their produce in line with their displays to the right and left. Vendors are individually responsible to have all umbrellas and tents secured to vehicles or other forms, so they are not affected by the wind.

5. A member's assigned stall will remain open to any other member, until such time that member notifies the market manager that they have items to sell and will be coming on a regular basis. After establishing a start date, your assigned stall will remain open until 7:30 am. Any member needing extra space to sell their own produce, may occupy these open stalls for a fee of \$10.00 per stall per day, as long as spaces are available. Courtesy shall be given to members who choose to use a second stall that is adjacent to their stall, before it would be given to another member. If you choose to use an additional stall or move from your assigned, you must check with the market manager before setting up.

6. Vendor name and address shall be prominently displayed on a sign, not less than 20 inches square. It must be a permanent type sign, clearly visible to customers. A \$10.00 fine will be levied for non-compliance after one reminder.

7. All vendors are required to have wash water, soap, toweling and a drain bucket for hand washing. All produce must meet all applicable health and sanitation regulations.

8. All products must be honestly represented and declared to origin (city, state) or clearly labeled as not produced by the vendor. When a product is not produced by the vendor, it must be labeled in letters no less than one inch tall. Product and origin must be the same size letters. The name of the state must be spelled out, not abbreviated. All products shall be displayed in a clean and orderly way (including containers and tables). Samples may be distributed only if in compliance with all health regulations. Stall/display areas must be cleaned before leaving. All vendors will provide their own garbage containers.

9. As of the 2013 season, all new members must have substantial participation in the production, raising, or processing of all goods they sell. Reselling for members admitted after 2012 and non-member vendors is prohibited. Members in the market prior to 2013 shall be grandfathered in and are exempt from this rule. New members are subject to farm or premise inspection by a Board member if deviation from this rule is suspected.

10. No live animals; vendors or customers may not have pets at the market.

11. Vendors are individually responsible to employ legal methods of sale and legal weights and measures. Devices must meet state standards.

12. No hawking will be tolerated - Do not intentionally call customers away from neighboring vendors by shouting your wares.

13. Any complaints, concerns or recommendations can be directed to the market manager for on-site attention, or a referral to the Board of Directors for resolution.

14. The organization reserves the right to cancel privileges of any member to sell at the market, if in the opinion of the Board of Directors, that member has willfully violated the rules and regulations governing the market.

