

Whistle Stop Market
Pembroke, Georgia
Rules and Regulations

The Whistle Stop Market aims to bring together producers and consumers by providing a community space to support locally grown and made farms, arts, and foods.

The Market will be open from 5 pm to 8 pm at the Downtown City Parking Lot Across the Street from the TOS Theater and Morgan Gold Block. On May 22, June 5, June 19, July 10, July 24, August 7, August 21, and September 4.

Definitions:

- a) **Local:** All products sold at the Whistle Stop Market must be grown or made by local growers or artisans limited to the areas of Bryan County and the counties located in the Georgia Agricultural Statistics Districts 6 and 9:
 - I. **District 6:** Bulloch, Burke, Candler, Columbia, Effingham, Emanuel, Glascock, Jefferson, Jenkins, McDuffie, Richmond, Screven, and Warren.
 - II. **District 9:** Appling, Bacon, Brantley, Bryan, Camden, Charlton, Chatham, Evans, Glynn, Liberty, Long, McIntosh, Pierce, Tattnall, Toombs, Ware, Wayne
 - III. No items sold at the Whistle Stop Market will be bought commercially at retail, rebranded, and then sold at the market or brought in from outside of the Georgia Agricultural Statistics Districts 6 and 9 to be sold at the market.
- b) **Mass Produced:** an item that can be purchased from a wholesaler or manufacturer in large quantities and is sold as is or with minor alterations.
 - I. **Franchised Products** fall under this category and are defined as items which are sold individually through organizations such as Avon, Mary Kay, Paparazzi, Rainbow Vacuum Cleaners, Papered Chef, ect,
- c) **Farm Vendors:** Farm vendors are vendors whose products are locally produced whole foods and horticultural products which include seasonal produce, eggs, dairy, honey, meat and seafood, cut flowers, and live plants.
 - I. All products sold at the Whistle Stop Market must comply with U.S Department of Agriculture and/or Georgia Department of Agriculture as well as the Bryan County Health Department as specific rules apply to the sale of meats, eggs, and dairy, as well as cut leafy greens, organic produce, and live plants. It is the responsibility of the vendor to provide supporting documentation that they meet all federal, state, and local requirements.
 - II. Vendors must produce the product they are selling or be able to present an agreement with the local that they are representing at the market.
- d) **Artisanal Vendors:** Vendors who sell locally made individual items that are not mass produced, with preference to the incorporation of local materials and themes.

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- I. Categories include but are not limited to: basketry, pottery, fiber arts, painting, jewelry, leather, metal, wood, photography, candles, soap, dried flowers, mixed media, and other artisanal products and services.
 - II. Items with printed logos or designs are excluded unless it is a promotional material for a farm, artisan, or food vendor but can't make up more than 25% of their sales.
 - III. NO WHOLESALE BROKERS OR RESELL**
 - IV. Vendors must submit pictures of samples of items they plan to sell at the market, vendors application will not be considered complete until images are submitted, and Market Manager reserves the right to deny individual items.
- e) Food Vendors:** Food vendors are locally made prepared with locally sourced ingredients created in a certified Commercial Kitchen or under a Cottage Food License and comply with the Bryan County Health Department regulations.
- I. Food must be clearly labeled in compliance with state and federal regulations including:
 - i. Common name of the food,
 - ii. Net weight
 - iii. Common names of **ALL** the ingredients
 - iv. Name, Address, and phone number of the vendor/person who made the item.
 - v. Allergen Information
 - II. Food vendors are required to submit all required documentation and permits as part of their registration and are responsible for maintaining appropriate Health Department Certification and adhering to all local, state, and federal food safety regulations.
 - III. Food under the Cottage Food License must be shelf stable and not require refrigeration. Unless creating specialty items exempt under the Georgia Food Act.
- f) Non-profits/Fundraising 'Vendors':** organizations that fit with the IRS definition of a charity or nonprofit or are raising funds for a specific cause. Political organizations and campaigns are not permitted.
- I. Non-profits/fundraisers must submit their One Time Visitor application for each event they wish to participate in.
 - II. Non-profits/fundraisers must comply with the state and federal food safety regulations as well as the Bryan County Health Department and clearly label the food items in compliance with the state and federal regulations.
 - III. The uses of the funds for the fundraising must be clearly stated at the booth and all materials distributed must be submitted and approved as part of the application process.

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- i. Non-profits/Fundraisers must also fill out the vendor form that best fits the description of any produce or products they wish to sell as part of their booth.
- IV. Family friendly live entertainment and carnival style games are permitted but must be described and submitted for approval as part of the Interest Form.
- g) **Entertainment:** an individual or small group performing a song, small act, or live demonstration of an artisanal craft.
 - I. Any form of performance must be ‘family friendly’ and subject to being asked to leave at the discretion of the Market Manager
 - II. Entertainment is allowed to promote performances, tours, merchandise, or booking availabilities subject to review and approval.
- h) **Makers and Crafters:** *see Artisanal Vendors*

What can I sell:

a) Farm Vendors:

- I. Whole Foods:
 - i. Fruits, vegetables, dairy, meat, eggs, honey, etc..
- II. Horticultural products:
 - i. Whole plants or cut flowers.
- III. Vendors must produce the product they are selling or have market approved permission from the producer to sell their products at the market.
- IV. Products must be locally produced with preference to in season and use of sustainable practices.
- V. **NO WHOLESALES BROKERS OR LIVESTOCK SALES**

b) Artisanal:

- I. Hand and Home Made: items that are created by the vendor
 - i. fiber arts, jewelry, wood, basketry, paintings, sculptures, etc.
- II. Artisanal Products and Services:
 - i. beeswax from vendor owned hives, yarn and fabric sourced from vendor owned livestock, knife sharpening, clothing repairs, etc..
- III. **Mass produced, resell, or franchise items are not allowed.**

c) Food Vendors:

- I. Specialties:
 - i. Jams, jellies, baked goods, coffee/tea, condiments,
- II. Prepared Foods: ready to eat items that are made with fresh local ingredients or by a licensed local food vendor.
 - i. Eligible vendors must comply with the Pembroke Mobile Food Services Units Ordinance.
- III. Prepared food vendors are responsible for any trash generated when purchasing or consuming their goods.

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IV. Preferences for prepared foods that highlight the local region.

V. **NO WHOLESALE BROKERS**

d) Food Trucks

- I. Must have a current mobile vending permit from the City of Pembroke or another city within the State of Georgia
- II. Must display copy of Health Department permit, business license, and fire safety inspection approval.

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General Operations:

- a) **Applications:** Vendors must submit applications two weeks prior to the event they would like to attend.
 - I. Vendors will only be allowed to set up if their completed application has been approved and all fees have been paid.
 - II. Vendors must submit images of what they plan on selling as part of the application approval process, items not approved may not be sold at market.
- b) **What is provided:**
 - I. The market will provide the 10 by 12 space.
 - i. Vendors are able to bring their own small generators, but they must be pre-approved, and complaints are received about the volume or fumes the Market Manager reserves the right to request the vendor to discontinue use.
- c) **Vendor Booths**
 - I. Vendors must clearly display their business name, item prices, farm location (if eligible), and identification of the products they are selling.
 - i. Vendors are encouraged to decorate their booths and have attractive signage while not blocking walkways or a neighboring vendor's space.
 - ii. Vendors must make visible what payment methods they accept.
 - II. Products must be placed in proper containers if stored on the ground out of sight below the table.
 - III. Product Samples are allowed:
 - i. But must comply with food regulations.
 - IV. Vendors are responsible for bringing their own tables and tents.
 - i. Tents must be weighed down without exceeding the space provided per vendor.
 - V. **Shared booths are allowed if:**
 - i. All cooperating vendors involved comply with the definitions provided above and fit within the same vendor category.
 - ii. All vendors have to be separately approved, and products must be differentiated.
- d) **Set Up:**
 - I. Vendors must check in with Market Manager prior to unloading or setting up.
 - II. Vendors will follow set up instructions.
 - III. Vendors are not allowed to sell out of their vehicles, once items are unloaded vendor must move their vehicle to the designated vendor parking.
 - IV. Vendors must stay from market open to close and may display a "SOLD OUT" sign if they sell out of items.
 - V. Vendors will park in designated vendor parking areas.

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e) Take Down:

- I. Vendors will follow instructions for loading their items back into their vehicles once the market has been closed and vehicles are allowed to be reintroduced into the market area.
 - i. Reintroducing a vehicle to the market area prior to market take down will constitute as disorderly behavior in the General Code of Conduct
- II. If vendors sell out prior to market close they are not allowed to break down their booth until close and may take orders if they are able to fulfill them.
- III. Vendors are responsible for removing all personal items and trash leaving the space clean and free of any debris.

f) Pets:

- I. Vendor pets are not allowed in market
- II. Customer pets must be on a six-foot maximum leash.
 - i. The owner is responsible for clean-up.
 - ii. Owners liable for any damages or injuries.

g) Product Sales:

- I. All vendors are independent sellers and transactions are strictly between vendor and customers. Whistle Stop only provides a sales venue and market promotion.
- II. Vendors are responsible for complying with all applicable federal, state, and local laws and regulations.
- III. Vendors will be responsible for submitting their Estimated Sales form within a week of event.

General Code of Conduct

1. Complaints and disputes are to be submitted to the Market Manager in a written and signed format.
2. Smoking is not permitted within the market.
3. Consumption of or being under the influence of alcohol is not permitted.
4. Fraudulent, dishonest, or deceptive merchandising or packaging is not permitted.
5. Vendors and/or customers who engage in hostile, disorderly, aggressive, or threatening behavior will be asked to leave immediately.
6. Vendors' attire must be appropriate for a family friendly environment.

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Grounds for Removal and Expulsion:

1. Vendors and Entertainment who do not comply with Definitions, What Can Be Sold, General Operations, and approval requirements:
 - a. Three Warnings are a removal, where you will be asked to leave the event without a refund.
 - b. Three removals lead to an Expulsion where you will be asked to not return for the season and not issued a refund, and it will be taken into consideration for any following applications.
 - c. Vendors are allowed to dispute a removal after an event by submitting a Removal Dispute form the day after the event.
2. Customers who do not comply with the General Code of Conduct and the Pets portion of the General Operations section will be removed from the Market.

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Federal, State, and Local Compliance

It is the responsibility of the vendors, entertainers, and customers to know and follow all applicable federal, state, and local laws and regulations.

Change in Rules and Regulations

The rules and regulations are subject to change by the Downtown Development Authority of Pembroke, Pembroke City Council, and Market Manager. The rules and regulations will be annually reviewed and updated and redistributed for the annual application process. Any in season changes will be implemented one week after the vendors have been notified of the change.

Hold Harmless and Indemnification Clause

All participating vendors and customers who take part in the Whistle Stop Market do so at their own risk and will not hold the Whistle Stop Market, Downtown Development Authority of Pembroke, nor the City of Pembroke responsible legally nor financially from anything that may result from participation.