

# CITY OF CHARLOTTESVILLE

## STANDARD OPERATING PROCEDURE



Type of Policy: ADMINISTRATIVE	Policy Number: 100-06
Subject: City Market Regulations	
Circulated for Comment/Approval of LeadTeam? N/A	Date: N/A
Authorization: Riaan Anthony, Director – Parks & Recreation Ashley Reynolds Marshall – DCM, SE	
Signature of City Manager: 	Effective Date: 4/1/2025

### 1.0 PURPOSE

To establish policies, guidelines and procedures for the management of the City Market(s) and to ensure that the Market(s) are operated for the accommodation of any person(s) desiring to make retail sales of farm produce, foodstuffs, art work or handicrafts grown or produced by said person(s), members of the person(s) family, or farm laborers employed by said person on property owned or leased by the Market Vendor. The resale of any item that is commercially manufactured or other farm produce not grown by the Market Vendor is expressly prohibited.

### 2.0 CITY DEPARTMENTS AND ORGANIZATIONS AFFECTED

The Department of Parks and Recreation is the City Department responsible for management of the City Market(s). Chapter 8 of the Charlottesville City Code provides the enabling legislation for the conduct of the market(s).

### 3.0 POLICY

To ensure that the Market(s) are administered in an effective and consistent manner, the following policies, rules, and regulations shall be in effect and govern all aspects of the operation of the market(s).

### **3.0.1 AUTHORIZATION TO SELL & DEFINITIONS**

#### **3.0.1.0 Authorization to Sell**

Only “Market Vendors” as defined herein shall be allowed to sell from any space in the Market(s), whether such space is ‘reserved’, or ‘waitlisted/non-reserved’.

#### **3.0.1.1 Market(s)**

That body of land is owned by, or under the control of, the City of Charlottesville where the market(s) are conducted.

#### **3.0.1.2 Artisan**

Any Virginia resident desiring to make retail sales of artwork and/or handmade crafts produced solely by the artisan or members of their family.

#### **3.0.1.3 Farmer/Agricultural Vendor**

Any Virginia resident desiring to make retail sales of farm produce, plants, and flowers grown or produced by the seller, members of their family, or farm laborers employed by the seller; strictly upon land owned or leased by the seller. Anyone desiring to make retail sales of foodstuffs grown or produced by the seller, members of their family or farm laborers employed by the seller; strictly upon land owned or leased by the seller.

#### **3.0.1.4 Served/To Go Foods**

Food products that are pre-cleaned, precooked, mostly packaged, and ready for consumption without prior preparation or cooking. Served/To Go Food vendors that utilize a heating element are required to have a fire extinguisher present at all times they are present at the market(s).

#### **3.0.1.5 Market Manager**

That person is designated by the City of Charlottesville Department of Parks and Recreation to manage the annual operations of the market(s). The Market Manager shall have full authority to enforce all approved Rules and Regulations promulgated herein within the designated area of the Market.

#### **3.0.1.6 Market Vendor**

Any Virginia Artisan, Farmer, or Food Vendor as defined herein who has completed the documentation required in Section 3.0.9 and who has paid the annual and weekly participation fee(s) as outlined in Section 3.0.6. All individuals who are employed by a Market Vendor or represent a Market Vendor at the market(s) shall be considered a Market Vendor and subject to these Rules and Regulations.

#### **3.0.1.7 Reserved Market Vendor**

Established during the application period for each market. Reserved vendors are given a designated slot at the market and must attend at least 75% of market days; exemptions made for agricultural vendors (Section 3.0.7.5). Reserved vendor status is valid exclusively for the

current operating season. This status is not transferrable, and reserved status in one season does not grant any right to reserved status in any future season.

#### 3.0.1.8 Waitlisted/Non-reserved Market Vendor

A market vendor who does not have a guaranteed market slot and must contact the Market Manager or their designee within seven (7) days prior to market to request admittance into the next occurrence of the market. Requests for markets further than seven (7) days out will not be considered.

#### 3.0.1.9 Co-op Vendor

A member of a group of two or more vendors that collectively share a market space designated by market management.

#### 3.0.1.10 Vendor in Good Standing

Reserved Vendors shall be considered to be in good standing if all of the following conditions are met:

- Food and Artisan Reserved Vendors must attend a minimum of seventy-five percent (75%) of all market days for the registered market in a single calendar year.
- Agricultural Reserved Vendors must attend a minimum of seventy percent (75%) of all market days between May – September of the registered calendar year. For vendors participating in a co-op space, all assigned vendors for that space must collectively meet the established attendance thresholds; and
- All fees and charges must be current in accordance with the Market Rules and Regulations; and
- There are no written violations of the Market Rules & Regulations, or the Market Vendor Standards of Conduct issued by the Market Manager; and
- The Reserved Vendor complies with all applicable federal and state food safety rules and regulations on market days. A Vendor in good standing must not commit a food safety violation that causes the Market to receive a Warning from the Virginia Department of Agriculture and Consumer Services.

#### 3.0.1.11 Non-Profit Organization

An incorporated organization that exists for educational or charitable purposes and from which its shareholders or trustees do not benefit financially. Any money earned must be retained by the organization and used for its own expenses, operations, programs, and other charitable purposes. For the purposes of this policy, State and Local Government offices will follow any requirements placed upon non-profit organizations herein. All Non-Profit Organizations must provide proof of non-profit status as obtained from the Internal Revenue Service to Market Management before inclusion at any market.

#### 3.0.1.12 Produce

Fruits, vegetables, live plants, flowers, herbs, cut flowers and other such produce that is grown by the vendor or seller, members of the vendor or seller(s) family, or farm laborers employed by vendor or seller on property owned or leased by the vendor or seller.

#### 3.0.1.13 Meat and Poultry Products

Meat, poultry, eggs and dairy products that are grown by the vendor/seller, members of the vendor/seller(s) family, or farm laborers employed by vendor/seller on property owned or leased by the vendor/seller.

The slaughter, processing, storage, sale, and labeling of most meat products (from cattle, swine, sheep, horses, goats, poultry, and ratites) are subject to the regulations of the United States Department of Agriculture and/or the Virginia Department of Agriculture and Consumer Services. Vendors of meat and poultry products must comply with all applicable federal and state food safety regulations pertaining to their products prior to offering them for sale at the City Market(s).

#### 3.0.1.14 Plants and Flowers

Plants or flowers offered for sale at the Market(s) must not be included on the list of Rare Virginia Wild Plants published by the Division of Natural Heritage, Virginia Department of Conservation and Recreation. Plants or flowers offered for sale at the Market(s) gathered from private property may only be gathered with permission from the property owner. No plants may be removed from public parks, interstate highways, or other public property and then offered for sale at the market(s).

#### 3.0.1.15 Organic Products

All products described in any manner as “organic” must meet federal and state regulations for such labeling. All Market Vendors offering such items for sale are required to file a copy of all relevant certificates and licenses with the Market Manager prior to offering such products for sale at the market(s).

#### 3.0.1.16 Arts and Crafts

Handmade items that are produced by the vendor, vendor’s family, or vendor’s staff and are intended for functional use or decoration.

#### 3.0.1.17 Prepared Food

Edible items prepared by the vendor, vendor’s family, or vendor’s staff that can be consumed with little to no further preparation. Examples are baked goods, honey, jellies, or hot food served at the market.

#### 3.0.1.18 Green Space

Market zone dedicated for the use by the patrons, market management programming, and sponsors. Any additional use of the space must have prior authorization from market management.

Green Space users should respect others by keeping noise levels reasonable and avoiding disruptive behavior. Children under 13 years old must be supervised by an adult at all times. Vandalism of any green space equipment is strictly prohibited.

### **3.0.2 MARKET DAYS, HOURS OF OPERATION, & PROHIBITIONS**

#### **3.0.2.1 Time of Markets**

Days and hours of operation of the Charlottesville City Market(s) are as follows:

##### City Market

Days: Saturdays, April through the Saturday immediately before Thanksgiving (Nov).  
Hours: 8 AM – 1 PM April - November

##### Farmers in the Park at Pen Park

Days: Wednesdays, May through October  
Hours: 3 PM – 7 PM May – September  
3 PM – 6 PM October

##### Holiday Market

Days: Saturdays, beginning the Saturday after Thanksgiving through the Saturday before Christmas Day.  
Hours: 9 AM – 1 PM

The Department of Parks and Recreation reserves the right to adjust the days and hours of the market(s) with thirty (30) days prior written notice to all affected Market Vendors. The Market Manager reserves the right to cancel any market day due to inclement weather to ensure vendor and patron safety.

### **3.0.3 ITEMS THAT MAY BE SOLD AT MARKET(S)**

The following items, as defined in Section 3.0.1 above, may be offered for sale at all the City Markets (Charlottesville City Market, Farmers in the Park, Holiday Market) as outlined herein.

#### **3.0.3.1 ALL MARKETS**

- Produce
- Meat and Poultry Products
- Plants and Flowers
- Arts and Crafts
- Prepared Food

### 3.0.4 DISTRIBUTION OF VENDORS AT MARKETS

To ensure a wide variety of offerings to market patrons and fair and reasonable access to all markets to a variety of vendors, the following vendor distribution will be applied to each market. Market management will make every effort to adhere to the established vendor distribution percentages as closely as practicable. If the required ratio is not met, all available slots will be filled accordingly.

#### 3.0.4.1 CITY MARKET

Farmer/Agricultural Vendors	60 %
Food Vendors	20 %
Artisans	20 %
Non-Profit Organizations	Dependent upon Available Space and Market Stalls

#### 3.0.4.2 FARMERS IN THE PARK

Farmer/Agricultural Vendors	60 %
Food Vendors	20 %
Artisans	20%
Non-Profit Organizations	Dependent upon Available Space and Market Stalls

#### 3.0.4.3 HOLIDAY MARKET

Artisans	60 %
Farmer/Agricultural Vendors	25 %
Food Vendors	15 %
Non-Profit Organizations	Dependent upon Available Space and Market Stalls

### 3.0.5 METHOD OF VENDOR SELECTION

#### 3.0.5.1 Reserved Market Vendors

Reserved Market Vendors are selected based upon the following:

- 1 - Vendor must be in Good Standing
- 2 - Completion of Reserved Vendor Application and payment of Acceptance Fee prior to beginning of market's season.
- 3 - Quotas concerning the distribution of vendors at the market(s)
- 4 - Diversity of products to be offered at the market(s)

Reserved Market Vendors must have completed an application and submitted that application prior to the initial application deadline; and have submitted their acceptance fee payment with

that application to be considered for Reserved Market Vendor status. There will be no exceptions.

**3.0.5.2 Waitlisted/Non-reserve Market Vendors**

Waitlisted Market Vendors are selected based upon:

- 1 - Quotas concerning the distribution of vendors at the market(s)
- 2 - Diversity of products to be offered at the market(s)
- 3 - Availability of slots at the market(s)
- 4 - Previous attendance at the market
- 5 - Market sales
- 6 - Order in which requests for admittance to the market(s) are received by market management.

**3.0.5.3 Non-Profit Organizations**

Non-profit organizations must contact the Market Manager a minimum of two (2) business days prior to the market day for which they desire to be present. Requests for inclusion in the market(s) that are received less than two (2) business days prior to a market day shall not be considered. Placement at the market(s) will be strictly on a first-come, first served basis. Organizations will be provided with a 6' X 6' space at the City Market and Holiday Market. Space allocation at the other Markets will be determined on a case-by-case basis.

Non-profit organizations are responsible for providing any and all tables, chairs, and other equipment. Market Management is not responsible for the provision of any support materials or equipment for market vendors.

**3.0.6 VENDOR FEES & TAXES**

**3.0.6.1 Annual Market Acceptance Fees for Vendors**

Vendors are required to pay for each market for which they are accepted (fees vary per market). These fees are prior to the first day of each market in which a Market Vendor is scheduled and are non-refundable.

City Market	\$ 35.00
Farmers in the Park	\$ 15.00
Holiday Market	\$ 15.00

**3.0.6.2 Slot Fees**

All Market Vendors, both reserved and waitlisted, are required to provide payment to the Market Manager the following slot fees prior to each market day:

City Market – Fees assessed according to space size for each market day:  
*(Front) x (Back)*

10' x 10' - \$25.00  
10' x 20' - \$30.00  
20' x 10' - \$40.00  
20' x 20' - \$50.00

Farmers in the Park – Fees assessed according to space size for each market day:  
10' x 10' - \$10.00

Holiday Market - Fees assessed according to space size for each market day:

*(Front) x (Back)*  
10' x 10' - \$25.00  
10' x 20' - \$30.00  
20' x 10' - \$40.00  
20' x 20' - \$50.00

#### Reserve Vendor Discount

Reserved Vendors have to opportunity to receive a 20% discount on their slot fees for the season if payment for their assigned days is made upfront before the start of the market's season.

#### 3.0.6.3 Sales Taxes

Vendors are responsible for filing taxes from sales at the markets with the appropriate authority. Market management is not responsible for the collection or payment of any applicable sales taxes owed by market vendors.

#### 3.0.6.4 Optional Fees and Charges

Vendors and non-profits are required to pay for optional fees and rentals at the time of receipt. Renters are responsible for any damages to rented equipment during the duration of the rental.

#### Electricity - \$50.00 seasonal fee

Electricity is available on a space available basis only at the City Market and Holiday Market; with a limit of a maximum of three (3) receptacles. Any Market Vendor requiring the use of electricity shall be charged a one-time seasonal fee on the first day of their participation in the market(s).

#### Tent Rental - \$20.00 per tent per day

A limited number of portable tents are available for rent each market day at the City Market and Holiday Market only. Rentals are made on a first-come, first-served basis on each market day and for that market day only. Vendors are limited to the rental of one (1) tent per market day.

#### Table Rental - \$10.00 per table per day

A limited number of tables are available for rent each market day at the City Market and Holiday Market. Rentals are made on a first-come, first-served basis on each market day and for that market day only. Vendors are limited to the rental of one (1) table per market day.

Tent Weight Rental - \$10.00 per tent weight set per day

A limited number of tent weights sets (weights for four legs) are available for rent each market day at the City Market and Holiday Market. Rentals are made on a first-come, first-served basis on each market day and for that market day only. Vendors are limited to the rental of one (1) tent weight set per market day.

### **3.0.7 VENDOR SPACE PLACEMENT**

#### 3.0.7.1 Vendor Space Dimensions

The minimum space permitted per Market Vendor will be assigned by market management based upon vendor applications and slot availability.

Market Vendors are required to keep all items within the designated space. Additionally, Market Vendors are required to comply with any request to move made by the Market Manager. The City of Charlottesville is not responsible for any damage to or the loss of any personal or other items in any market space.

#### 3.0.7.2 Entry to Market

No market vendor is permitted to enter the Market location until all vehicles have been removed from the area. The Market Manager and/or their designee will be on site no later than one hour and fifteen minutes before prior to opening time of the market(s).

#### 3.0.7.3 Waitlisted Vendor Access

Waitlisted/Non-reserve vendors must request a space the week of the market they wish to attend. Waitlisted/Non-reserve vendors are assigned spaces by the Market Manager or his/her designee on:

- 1 - Quotas concerning the distribution of vendors at the market(s)
- 2 - Diversity of products to be offered at the market(s)
- 3 - Availability of slots at the market(s)
- 4 - Previous attendance at the market
- 5 - Market sales
- 6 - Order in which requests for admittance to the market(s) are received by market management.

#### 3.0.7.4 Vendor Relocation within the Market

Vendor relocation shall be at the discretion of the Market Manager and shall be based on reasons regarding the feasible and practical distribution of market vendors and/or products.

The Market Manager may designate vending locations for all market vendors with or without vehicles and may request a vendor to relocate at any time. Market vendors are required to comply with any request to relocate from the Market Manager.

#### 3.0.7.5 Reserved Vendor Participation and Absences

Reserved vendors are required to attend a minimum of seventy-five (75) percent of the market dates (exception for Agricultural vendors below). Vendors who do not meet the minimum requirements will forfeit their reserved status for the current and following market year and will only be considered for waitlisted vendor status.

Participation Requirements:

City Market – 33/34 total market days (Artisan or Food vendor must attend 25 market days. Agricultural vendor must attend 14 market days between May - September). A Co-op vendor must attend 75% of their allotted days or be removed from their co-op status and only be considered as a non-reserve vendor.

Farmers in the Park – 24 total market days (vendor must attend 18 market days)

Holiday Market – 5 total market days (vendor must attend four (4) market days)

Vendors are required to contact Market Management for any absence from any market no later than three (3) business days prior to the market day for which they will be absent. All absences will count against the minimum participation requirements at all markets.

Reserved Vendors will be permitted two (2) unexcused absences without prior notice. Upon the third (3<sup>rd</sup>) unexcused absence, the vendor will lose their Reserved Vendor status and their assigned vendor space for the remainder of the year. The Market Manager may waive this requirement when a vendor has experienced an emergency or an extenuating circumstance. Such waivers will be documented in writing by the Market Manager and provided to the vendor. Failure to pay this fee within ten (10) business days from notification shall result in the forfeiture of reserved vendor status.

### **3.0.8 VENDOR RESPONSIBILITIES**

#### 3.0.8.1 Agreement to Abide by Rules and Regulations

Market vendors, including employees and/or other representatives, as a condition of application to become a Vendor, agree to abide by all Market Rules, Regulations, and the Market Vendor Standards of Conduct. Violations of the Rules, Regulations, and Standards of Conduct will be addressed as outlined in paragraph 3.0.10.

#### 3.0.8.2 Registration to Sell at City Markets

Market vendors are required to complete a Registration to Sell at City Market(s) form that will be forwarded to the Commissioner of Revenue by the Market Manager. A copy of this Certificate will be provided to the vendor and must be available at all times for inspection upon request of the Market Manager.

### **3.0.8.3 Timeliness**

All market vendors are required to have their space prepared and ready for customers no more than fifteen (15) minutes prior to the advertised start of the market(s). Failure to do so results in a write up for tardiness (beige card).

#### **3.0.8.3 Public Safety**

In the interest of public safety, Market Management requires market vendors to have the following items:

##### **Weights**

All market vendors are required to have canopy/tent/umbrella weights of at least 50 lbs. per leg on hand. In the event of hazardous weather, weights must be fixed to the market vendor's canopy/tent/umbrella.

##### **Fire Extinguisher**

All market vendors that have any type of heating element must have a fire extinguisher within reach. The fire extinguisher must be ABC rated and at least 10 lbs.

#### **3.0.8.3 Cleanliness and Appearance**

Each market vendor is responsible for setting up his/her stand in an attractive manner and keeping boxes and supplies stored out of sight. All displays and food items must be raised at least twenty-four (24) inches from the ground, with the exception of those items approved by the Market. All baked goods must be covered. Vendors are responsible for all equipment and materials required for the display of items. Additionally, vendors may not use nails or other methods of adhesion or any other action that permanently damages the space.

Each market vendor shall be solely responsible at all times for the cleanliness around and their vending area regardless of the origin of the debris in that location. Market vendors are responsible to ensure that their vending space is left in a clean and orderly manner at the end of each market day, including the removal of all overhead protective coverings.

Failure to comply will result in the market vendor bearing the cost of any and all clean up that is required.

#### **3.0.8.4 Conducting Business at the Market**

Market vendors shall not leave their space to acquire signatures, promote their cause, sell/accept donations, or conduct any other business pertaining to their organization. No

market vendor is allowed to use amplified sound or any other method that could disturb the peace without prior authorization from Market Management.

#### 3.0.8.5 Compliance

It is the Market Vendor's responsibility to know and comply with all applicable Federal and State laws and regulations for the products they sell at the City Market, including any required licenses. The City of Charlottesville makes no warranty or endorsement of any Market Vendor's product and assumes no responsibility for any consequences resulting from a Market Vendor's failure to comply with the laws or regulations applicable to the sale of their products. As a condition to participating in the City Market, Market Vendors shall agree to indemnify and hold harmless the City of Charlottesville from any damage or injury resulting from their use of the approved market area.

#### 3.0.8.6 Business Visits

Market vendors that have applied to the market must permit Market Management to conduct a visit of their production facility to ensure they comply with Market Rules and Regulations.

#### 3.0.8.7 Parking

The City of Charlottesville offers all-day parking validation for market vendors at the Water Street Parking Garage on Saturdays. The City of Charlottesville is not responsible for any fees incurred due to failure of a vendor to get their parking pass validated during regular market hours.

#### 3.0.8.8 Conduct of Market Business

All Market related business must be resolved on market premises or in the Parks and Recreation Administrative offices, or via Telephone, email or fax. Market vendors are not to attempt to communicate with Market Staff at their personal residences. Such attempts will be considered trespassing, and violators will be prosecuted. Additionally, such Market Vendors will be immediately and permanently barred from participation in any City Market.

#### 3.0.8.9 Assumption of Financial Risk

Market vendors understand and assume any and all financial risks of participating in each market. The City of Charlottesville does not guarantee any number of customers or revenues at the markets.

### **3.0.8 CITY RESPONSIBILITIES**

#### 3.0.8.1 Market Management

The City of Charlottesville Parks and Recreation Department shall be responsible for the management of the day-to-day operations of the market(s), including administrative, management, and oversight of the market(s).

### 3.0.8.2 Marketing and Advertising

Charlottesville Parks & Recreation is committed to making all of the markets successful and will advertise as effectively as possible within the adopted budget. Charlottesville Parks & Recreation is responsible for the creation, selection, and purchase of all advertisements for the Market(s). This includes both paid and non-paid advertisements in print publications as well as electronic media. Market Management, at their discretion, may have a media sponsor(s) to help promote the market(s) and may provide them with a space at the market.

Market vendors may, at their own expense, advertise their products and presence at the market(s). However, such advertising must be specific to the market vendor and their products, not to the market(s) at-large.

## **3.0.9 VENDOR APPLICATION PROCEDURE**

### 3.0.9.1 Reserved Vendor Application

To obtain reserved space, a market vendor must have participated in a minimum of seventy-five (75%) percent of the market days during the previous year at the market the vendor was assigned. A completed Reserved Vendor Application and signed Market Vendor Standards of Conduct must be submitted by the deadline set by the Market Manager for receipt of applications.

### 3.0.9.2 Waitlisted Application

All waitlisted vendors and all new vendors must submit a Vendor Application form annually for each market they wish to attend.

### 3.0.9.3 Annual Applications

All vendors must submit a Vendor Application form annually for each market they wish to attend. Vendor statuses are not carried over from year to year.

## **3.0.10 VIOLATIONS OF RULES AND REGULATIONS**

### 3.0.10.1 Violations

The following procedures shall be in place to address violations of the Market Rules and Regulations and the Market Vendor Standards of Conduct. Violations may result in a financial penalty or suspension and/or revocation of a Market Vendor's right to participate in any markets.

### 3.0.10.2 Violations of the Market Rules and Regulations, and Standards of Conduct

Market Vendor(s) will receive a written notification of Rules and Regulations violations via the Market's system of the color-coded enforcement postcards. These cards are meant to provide

Vendors with a notice of violation and to allow Market Vendors and Market Managers an opportunity for discussion in a busy marketplace.

#### Yellow Cards

Yellow cards will address infractions recognized by the Market Manager. For example: failure to conform to food handling guidelines, sanitation requirements, cooking without a fire extinguisher; not wearing gloves while preparing food, etc.

#### Green Cards

Green Cards will address queries raised by market customers regarding Market Vendors. For example: produce that is not in season, authenticity of products, other violations of the Market Rules and Regulations, etc.

#### Beige Cards

Beige Cards are used for vendors that fail to arrive, setup, tear down, or leave the market lot in a timely fashion.

#### Pink Cards

Pink Cards address unexcused absences of Market Vendors who fail to appear on Market days when they are expected to be in attendance.

*Penalty Fee - There will be an absence fee of \$25.00 in addition to the slot fee for any market vendor who fails to inform Market staff of intended absences.*

#### Red Cards

Red Cards will be used to address late slot fees.

*Penalty Fee - If slot payments are not made by the conclusion of the market day, a late payment fee of \$10.00 will be assessed.*

#### Orange Cards

Orange Cards will be used for failure to report market sales. Sales must be reported to Market Management by the Monday following the conclusion of the market day.

*Penalty Fee - Failure to record market sales by the following Monday of the conclusion of the market day will result in a \$5.00 fee.*

Market Vendors who do not respond to the color-coded enforcement postcard from Market Management or continue to disregard the Market rules may have their right to participate at the Market(s) suspended and/or revoked.

It is within the sole discretion of the Market Manager to determine if a Market Vendor has violated the Market Rules and Regulations or Standards of Conduct. If a violation has occurred, the Market Manager will contact the name(s) or company listed on the vendor application for resolution of the violation.

Vendors with a confirmed violation of any of the stipulations in the City Market Rules and Regulations or the Standards of Conduct will be given a written warning. A second confirmed violation for the same or for a different confirmed violation will result in suspension from the Market for a period of thirty (30) days. A third confirmed violation will result in the termination of the Authorization to Sell without refund of any monies paid; therefore, and immediate and permanent expulsion from all market(s).

Notwithstanding any other provisions of this section, the Market Manager(s) retains the right to immediately revoke a vendor's right to participate in any Market(s) without prior warning due to any violation of law (including, but not limited to, applicable state regulations pertaining to food preparation), or of the Market Rules and Regulations or the Market Vendor Standards of Conduct, if the Market Manager determines in his or her sole discretion that such revocation is necessary to ensure the health and safety of Market customers, vendors, staff, or the general public. The Market Manager may suspend the right of a vendor to participate in a Market pending the outcome of an investigation regarding any such violation, should the Market Manager determine in his or her sole discretion that such an investigation is necessary.

#### 3.0.10.3 Complaints

Specific complaints against any Market Vendor regarding the origination of their produce or goods, or any other matter, must be directed by the customer in writing to the attention of the Market Manager(s).

Resolution of customer complaints is the responsibility of the Market Manager(s). The Market Manager(s) shall determine, at their sole discretion, what type of investigation, if any, shall be conducted to determine the validity of the complaint. The Market Manager will respond in writing to the complainant no later than ten (10) business days from the receipt of the written complaint.

#### 3.0.10.4 Vendor Appeal Procedure

Vendors who have had their right to participate at the Market(s) suspended or revoked may appeal in writing to have their right to participate reinstated. All appeals must be made in writing and must be submitted to the Market Manager within five (5) business days of the notice of suspension or expulsion. The Market Manager will make a determination on the appeal request and notify the appellant in writing within five (5) business days of receipt of the appeal if the appeal has been granted or denied.

If the appeal is denied by the Market Manager, the Market Vendor may make a secondary appeal of the decision to the Director of Parks & Recreation. An appeal to the Director of Parks and Recreation must be made in writing and within (5) business days of receipt of the Market Manager's appeal ruling. The Parks and Recreation Director will then make a determination on the appeal request and notify the appellant in writing within five (5) business days of receipt if the appeal has been granted or denied.

If the Director of Parks and Recreation denies the appeal, the Market Vendor may make a final appeal of the decision to the City Manager. An appeal to the City Manager must be made in writing and within (5) business days of receipt of the Director of Parks and Recreation's appeal ruling. The City Manager will then decide on the appeal request and notify the appellant in writing within fifteen (15) business days of receipt if the appeal has been granted or denied.

#### APPENDICES

- *Appendix 1 – Vendor Standards of Conduct*

**CITY OF CHARLOTTESVILLE  
MARKET VENDOR  
STANDARDS OF CONDUCT**

**COMMITMENT TO OUR CUSTOMERS:**

Why do people visit the Charlottesville Markets? There are many reasons, including fresh, healthy foods, socialization, unique arts and crafts, and a fun, family-friendly environment. A sincere and helpful management and vendor team is a major area of focus for our markets. As a participant in Charlottesville Markets, the customer is our NUMBER ONE priority. The goal of the staff & vendors is to ALWAYS be friendly, understanding, and willing to serve.

**As a condition of participation in the City Market(s), Market Vendors are expected to:**

- Greet and welcome customers, make eye contact, and smile. Thank each and every customer.
- Display appropriate body language at all times
- Treat Market Management, fellow Market Vendors, and customers with respect, courtesy, and tact.
- Promote safe operations and comply with all appropriate safety and health regulations.
- Promptly report safety and health hazards so that they can be corrected before injuries result.
- Render full and efficient service and provide the highest level of customer service possible.
- Comply with all Market Rules and Regulations.

**The following conduct is expressly prohibited:**

- Carelessly or willfully causing destruction of market or vendor property.
- Manufacturing, distributing, possessing, using, or being under the influence of alcohol or illegal drugs while at the market.
- Threatening or assaulting a fellow vendor/staff or the public.
- Participating in mischievous actions such as horseplay, disorderly conduct, or similar undesirable conduct.
- Using obscene language toward fellow Market Vendors, Market Management, or customers.
- Arriving late consistently.
- Using racial, sexist, or ethnic slurs.
- Sexually harassing fellow Market Vendors, Market Management or customers.
- All Market-related business should be resolved on market premises or in the Parks and Recreation offices in the City Hall Annex, or via Telephone, email, or fax. Do not attempt to communicate with Market Staff at their personal residences. Such attempts will be considered trespassing, and violators will be prosecuted.

**Market Vendors in violation of the Market Vendor Standards of Conduct or the City Market Regulations are subject to suspension and/or expulsion from the Market and revocation of their Authorization to Sell in accordance with the City Market Regulations.**

I have read, understand, acknowledge, and will comply with these Market Vendor Standards of Conduct.

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SIGNATURE

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PRINT NAME

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DATE