

**DAMARISCOTTA FARMERS' MARKET
BY-LAWS**

ARTICLE ONE: ORGANIZATION.

The name of this organization shall be the Damariscotta Farmers' Association.

ARTICLE TWO: PURPOSE.

This group has been organized on a non-profit basis for the following purposes:

1. To provide a capability for mid-coast Maine producers to present their products directly to consumers.
2. To establish and maintain operating standards for the representation of members that will inspire public confidence in the farmers' market concept.
3. To provide the organization with publicity and by other techniques to assist in promoting the sale at the market of Maine products.

ARTICLE THREE: MEMBERSHIP

1. A "member" of the Damariscotta Farmers' Market Association shall be any production unit which has been accepted into this organization, has paid annual membership fee, is current in monthly participation fees, and abides by the market regulations. NOTE: Two production units may share a single membership only if they sell from the same display unit in one selling space, and have been approved as a single selling unit by vote of the membership. They shall have one vote. The number of production units sharing a membership shall not exceed two.
2. Membership in this organization is open to producers without regard to race, creed, sex, age, disability, color, religion, national origin, citizenship, marital status, sexual orientation, disability, or military status.
3. Membership shall be by invitation only. Maine residents who wish to be considered for membership shall submit to the secretary an application which includes a description of products to be sold and dates desired for market participation. All craft applications will be considered, however priority will be given to agricultural products. Application for the market can be submitted on an ongoing basis and New Members will be voted in once a year at the March Meeting for the current season. Applications for the current season should be submitted not later than March 1.

4. Invitation to membership will be extended to all members of the organization of the preceding market year who have participated in 80% of the market dates for which they committed themselves. Extenuating circumstances are to be taken into account, however. New members are provisional until the completion of their first market season and will be voted on at the annual meeting for full membership.

5. The right to vote on any and all matters shall be restricted to members, excluding provisional members, in good standing with this organization. Each member shall have one vote.

6. The membership may invite new participants to fill an existing or potential shortage of products in the market.

7. When deciding between two applicants, all things being equal, the weight of the decision will go to the applicant who grows their own ingredients for their product.

ARTICLE FOUR: MEETINGS

1. There shall be meetings of membership each year to elect officers and committees. This shall start every January on the third Friday at 9 am. Any other meetings needed will be the third Friday of the following months at 9 am. A notice of the meetings will go out to all members two weeks before. Any snow days will resume the following Friday.

2. Additional meetings shall be held at the call of the President or by direction of three or more members.

3. Special meetings shall be held as provided by Article 7, Paragraph 8.

4. All meetings of this organization will be conducted in an orderly fashion.

5. Voting will take place with at least 50% of the market members present. Of those present, a majority vote will decide market matters. . In case of a tie, the President may cast an additional deciding vote.

6. Since the attendance of members at all meetings is important, the dues total will be determined annually by the membership based upon the market's budget needs, plus an additional \$60. per year. Members will receive a \$20. per meeting credit for each business meeting attended. The meetings attended tally will be provided by the Secretary or President to each member at the last meeting in order to determine that member's amount due. A member absolutely unable to attend a meeting may send a representative. There are no exceptions to this rule.

ARTICLE FIVE: OFFICERS

1. This organization shall be administered by a Management Committee composed of the President, Secretary/Vice President, Treasurer, and Officers-at-Large. Each of these officers will be elected for a term of one year at the Annual Meeting by a majority vote of the members present.

2. The duties of the officers shall be: President a. To plan for and preside at meetings of the organization. b. To enforce the provisions of these by-laws and all other rules set forth by the organization. c. To maintain a "President's Notebook" of minutes and pertinent information for the conduct of future meetings of the organization.

Secretary/Vice President a. To record the minutes of all meetings of the organization and provide the President with copies of the same within two weeks after a meeting. b. To maintain an ongoing list of all members of the organization and to provide the Treasurer the dates of planned participation. c. To provide notice of all meetings to members. d. To act for the President in his/her absence. e. to maintain an on-going "Secretary's Notebook" of minutes, members' agreements, contracts and correspondence. This shall be available at all meetings and markets for inspection by any member. f. To record attendance at meetings.

Treasurer a. To collect all annual fees for membership and all space rental fees and to keep a record thereof. To record market participation. b. To disperse all expenditures for the organization and maintain a record of these expenditures. c. To prepare a financial statement for the annual meeting. To keep books open for inspection by any member.

Officers-at-Large a. Prepare to take on one of the above offices and act as delegates of the Association when needed.

ARTICLE SIX: FINANCIAL EXPENDITURES.

Proceeds derived from operations shall be collected by the Treasurer and used to promote the Farmers' Market. Should the organization dissolve or become inoperable, any remaining money shall be disposed of in accordance with the wishes of the majority of the members.

ARTICLES SEVEN: MARKET REGULATIONS.

The following regulations are adopted under authority of these by-laws and accepted by majority vote of the membership. They may be amended, added to, or deleted from only by majority vote of the members present at a meeting called for that purpose and with prior notification.

1. All Members shall by the 3rd Friday of March of each year shall stipulate the months during which they plan to participate in the market; supply the market with all licenses and permits; and shall have paid the annual membership dues as determined by the Secretary or President. The membership dues are based on a 12 foot selling space.

2. The membership shall designate the market location, the opening and closing dates of the market season, and the days and hours of the market by majority vote. A lease shall be obtained for the location of the market.

3. The market will be held when scheduled regardless of the weather. Since craftsmen's (non-food vendors) ability to sell at the market is highly vulnerable to inclement weather, their absence in extreme weather will be excused. If a vendor can predict an absence, he shall tell the president, who will alert the membership. In case of a non-predicted absence, the vendor shall phone any officer, who will notify the membership upon arrival at the market. All vendors on a given market day must stay until closing unless otherwise agreed on that market day by all vendors participating.

4. Only Maine produced goods may be sold at the market. Vendors must produce 75% of what volume they sell on any given market day. Buyins must be listed on the annual application and approved by majority vote before selling them. Exceptions to this must be approved by majority vote in advance of offering these items for sale.

5. Vendors are responsible for all legal requirements for the sale of their products. Any license required by the State of Maine for the selling of a processed product must be shown to the Secretary prior to selling that product.

6. Any misrepresentation of products offered at the market shall be considered cause for dismissal from the organization.

7. At each stall: a. All vendors must identify themselves with a sign showing their names and address. b. Products must be identified by price. c. Vendor is responsible for cleaning up his selling space before leaving on a market day.

8. When two or more vendors on any market day believe that the selling practices of another vendor are detrimental to the market, they may ask for a special meeting of the membership. A majority of those present at that special meeting may require the detrimental practices to be changed to conform to the memberships' standards. Failure to do so shall be cause for dismissal from the organization.

Amended April 18, 2003

Effective 2004

Amended Feb. 16, 2007

Effective 2008

Amended Feb. 19, 2010

Effective 2011