

Intent: The Ann Arbor Farmers Market is in support of family farms, and the transfer of farms from one generation to the next. With many vendors retiring, we believe it is better to keep land in farming and farm businesses viable, rather than being lost and sold for development. Small farms are not always able to support the livelihood of several generations at once (parents and children), and thus sometimes skip a generation for financial reasons. We propose extending the definition of family from immediate to extended (with stipulations) when considering the requirements for a transfer of seniority upon the death or retirement of an annual vendor. We believe this will help preserve farms and businesses for generations to come.

VII. TRANSFER OF SENIORITY

1. Eligibility

A. Seniority may be transferred upon the death of an Annual Vendor to an immediate family member (spouse, domestic partner (to the extent allowed by law), parent, sibling, child) of the vendor if:

1. A complete transfer of seniority application is submitted to the Market Manager within 60 days of the death of the vendor.

B. Seniority may be transferred upon the retirement of an Annual Vendor from the Market to an immediate family member (spouse, domestic partner (to the extent allowed by law), parent, sibling, child) if:

1. The immediate family member has been listed on the vendor application for a minimum of three years, and has either actively participated with the vendor at the Market for a minimum of three years or has actively participated in the vendor's business for three years.
2. A complete transfer of seniority application is submitted to the Market Manager within 30 days of the date of retirement of the vendor.

C: Seniority may be transferred upon the death or retirement of an Annual Vendor from the Market to a grandchild, niece or nephew if:

1. The family member has been listed on the vendor application for a minimum of three years, and has either actively participated with the vendor at the Market for a minimum of three years or has actively participated in the vendor's business for three years.
2. The family member is in the same vendor category as the original vendor, and shall offer substantially similar products for the first five years at the Market.
3. The family member provides evidence that there is sufficient continuity between the vendor activity of the original and the new vendor. Factors to be considered include, but are not limited to: use of the same land, farm and equipment; offering similar products for sale.
4. A complete transfer of seniority application is submitted to the Market Manager within 30 days of the date of the death or retirement of the vendor.

D. Seniority may be transferred upon the sale or transfer of a vendor business if all of the following apply:

1. The new owner of the vendor business has a minimum of 51% management, control, and ownership of the vendor business.
2. The new owner of the vendor business is in the same vendor category as the original vendor, and shall offer substantially similar products for the first five years at the Market.
3. The new owner of the vendor business has actively participated with the original vendor at Market for a minimum of three years, and has been listed on the vendor application for a minimum of three years.
4. The new owner of the vendor business provides evidence of sufficient capacity to maintain the same attendance record of the original vendor business.
5. The new owner of the vendor business provides evidence that there is sufficient continuity between the original and the new business. Factors to be considered include, but are not limited to: use of the same name, offering similar products for sale, holding the business out to the public as a continuation of the same business.
6. The new owner of the vendor business takes over use of the land and equipment of the original vendor

7. A complete transfer application is submitted to the Market Manager within 30 days of the date of sale or transfer of a vendor business.

D. Producers may transfer seniority for up to three stalls and Artisans may transfer the seniority rights to one stall.

E. No vendor who has been the recipient of a transfer of seniority may transfer that seniority for a minimum of five years after the transfer, except when one of the transfers is due to the death of an Annual Vendor, under Section VII.1.A. above