

26-August-2013  
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[Sumedh Bahl](#)

Subject: Farmer's Market Rules

This letter is to appeal the method in which market vendors are penalized for not notifying the Market Manager when leaving the market before 3:00pm. Penalizing vendors who leave the market before 3:00pm has not been past practice. This rule should be re-written next season, and not be enforced in the manner in which it is being done this year unless specifically adopted by the Market Commission.

**Quoted from Market Rules:**

**Article V. Market Operations, section 1M:**

**“Vendors shall attend Market from open to close (7 a.m. or 8 a.m. until 3 p.m.) on a Market day that they are in attendance. Leaving early from Market without providing the Market Manager with a reasonable explanation for leaving early may result in loss of attendance for that day. Reasonable explanations for leaving early include, but are not limited to selling out of food or products, extreme weather, and schedule conflicts.”**

The word “shall” means *to plan, intend to, or expect to do something*. The rule does not say vendors “must” attend....

Certain vendors are allowed to delay market attendance until a period of time after the Market opens, so this rule is only being enforced at the end time of the Market hours. The Market Manager is unfairly penalizes vendors whose products sell early. The rule is not being applied to everyone.

Some vendors bring the most perishable products to the market, including fresh cut flowers and herbs. These products are only good when purchased fresh in the morning before the heat of the day.

The Ann Arbor Farmer's Market has expanded over the many years of operation to now include Artisans and Food vendors adding to the diversity of products being made available. Consideration should be given to “actual Farmers” who are the foundation of this market.

The problem was initially identified as coming from customer complaints, however, in reality many of the complaints are more coming from non-farmers whose products sell better later in the day. These non-Farmers prefer that Producers stay longer so the Market doesn't appear empty.

Unfortunately, the threat of losing credit for attendance days for not staying until 3:00pm does not resolve the perceived problem. After 15 days of attendance, this issue is still present. The recent survey failed to get to the heart of the issue. Market hours can remain as is so Artisans and Food vendors can continue selling products into the middle of the afternoon. It is the new requirement of asking for permission before leaving that is creating problems. The recent survey missed the objective by forcing people to think about it in terms of reducing Market hours, which is not being debated. As pointed out in the August Market Commission Meeting, the issue that should be discussed is the practice of unfairly penalizing vendors who leave early.

The move up policy as vendors leave early has not been an issue in the past because lower seniority vendors are often looking out for an opening to a better stall. These vendors, based on seniority, notify the Market Manager that they want to relocate so everyone knows. Any different procedure would not help, but rather cause unnecessary administrative oversight.

**Bylaws of the Public Market Advisory Commission – City of Ann Arbor, Michigan state the following:**

**Article V, Section 11: “Members shall conduct themselves in a fair, courteous, and understanding manner at all times in the discharge of their duties, and shall avoid exchanges or actions based upon personal differences.”**

We ask that the Market Commission be fair, and understand the small family Farmers who bring fresh, living, and fragile product to the market. Refrigeration is not practical, Farmers are limited to only what they can produce on their own land, and the quantity of product brought to the market is limited by delivery truck space. Farming is a cyclical business that predictably changes from week to week over the growing season, unlike Artisans and Food vendors who can prepare product well ahead of market day. The Market Manager can observe conditions during the day and over the selling season to better understand the nature of a farming business, so not to be caught off guard.

In closing, past procedure regarding this rule has been: It is the Market Manager’s responsibility to challenge any vendor leaving early without a “reasonable explanation”. Vendors should not be required to seek out the Market Manager and obtain approval to leave early on any given market day. If the Market Manager observes vendors leaving early, it should be addressed on the spot if the Market Manager believes a violation of the rule is about to occur. In addition, the Market Manager should provide notice to any vendor considered to be not in compliance before losing credit for attendance on that day. A record of attendance should be available to every vendor.

Sincerely,

Janna Field

Fieldfarms, LLC

cc: Public Market Advisory Commission