

Kearney Community Market

2025 Rules and Regulations

NW Corner of 33 and 92 HWY – Kearney, MO

2025 Market Season:

Saturdays, May-September, 7am to noon

Saturdays, October, 8am to noon

Mission Statement

"To cultivate a vibrant gathering place that connects farmers, artisans, and the community, fostering local entrepreneurship, sustainability, and a sense of belonging."

Vision Statement

"To be the heart of Kearney, where fresh, local goods and handcrafted treasures bring neighbors together to celebrate the spirit of community and support small businesses."

All vendors and performers must apply and be accepted to participate at the Kearney Community Market. Compliance with state and city licensing and county health regulations is required.

Categories

Below are brief descriptions for each category.

1. **Farmer 100% Grower** – requires farm visit

Sells 100% of their own homegrown products or products made according to cottage law, within a 75-mile radius of the Community Market. Additional paperwork may be required.

2. **Farmer with Locally Grown Supplement** – requires farm visit

Sells their own homegrown products and no more than 25% of products from other local growers, all within a 75-mile radius of the Community Market. Additional paperwork may be required.

3. **Artist/Crafter** – requires workshop visit

Sells only products they themselves have handcrafted and must be present at booth. Workshop visit may be waived in lieu of links to YouTube videos.

4. **Retail Food** – may require Community Market Committee approval

Sells food products manufactured in a commercial plant or rented licensed facility. Must follow Clay County retail food guidelines or Clay County cottage food guidelines.

5. **Busker** – requires audition

Approved buskers/musicians are able to perform or entertain on property in designated locations for tips only. New buskers require an audition with Community Market management. Auditions are done Tuesday thru Friday 9:00am-4:00pm and may be waived in lieu of links to YouTube performances. Applications are never processed on weekends.

Market management and the Kearney Community Market Committee assess the number of vendors selling similar products. If deemed that the number of vendors has met its maximum, that product category will close.

Attendance, Reservations and Cancellation Procedures

For reservations, vendors must call or email the Market Manager Monday through Thursday and no later than 3pm Thursdays. If space will be unavailable or limited, market management will contact you and let you know. Market

management will notify vendors of booth locations (if not a Season Pass holder) on Friday. The Community Market operates rain or shine.

- The Market Manager will manage the market vendor schedule.
- Changes to vendor's schedules shall be promptly reported to the Coordinator to ensure smooth operations, consistent offerings to market patrons, and ample time to fill booth space as required.
- Vendors must let the Market Manager know if their attendance intention for the next week has changed. Attendance changes can be relayed verbally or by email no later than the Wednesday of the preceding market day. Market will inquire about the following week's attendance for each vendor at the end of market the week prior.
- In an effort to consistently offer a well-organized market with consistent and ample offerings to patrons, the Market has a strict no call, no show policy. While we understand emergencies do arise, we do not allow no call no shows at the market. You are at risk of losing your booth space if you do not let the Market Coordinator know you will not be attending with sufficient advance notice. No refunds will be given.

Load-in/Load-out Procedures

Decisions to alter the following timeframes and locations will be made by market management due to customer and vendor safety, including extreme weather conditions.

- NO vehicles may drive into the Market during market hours.
- Due to customer foot traffic and weather, times may be adjusted.
- Our preference is that all vendors would remain set-up until 12:00pm when the Community Market closes.
- Vendors leaving early will be documented when exiting the Market. Two or more violations of Market hours will result in probation and possible loss of selling privileges.

Community Market Fees

Booth fees are REQUIRED at the time of registration. Payment for all Community Market fees payable by cash, credit card, or check/money order payable to "Kearney Chamber of Commerce." Community Market Committee establishes all booth fees and are subject to change annually. Booth fees are nonrefundable.

Season Pass (26 Saturdays):

\$250 (\$9.62 per Saturday)

Early Bird Season Pass: \$200 (due by February 28)

12-Day Pass:

\$150 (\$12.50 per Saturday)

6-Day Pass:

\$90 (\$15.00 per Saturday)

2-Day Pass:

\$50 (\$25.00 per Saturday)

1-Day Pass:

\$40 (can be applied toward any multi-day pass)

Rules and Regulations

Effective January 1 through December 31, 2025

The Kearney Community Market Committee has the right to immediately terminate previously approved applications upon violation of rules and regulations. The principal listed on the application is responsible for ensuring that family and employees are properly trained to know the market policies. All vendors of the Market are responsible for the actions of their employees. • All vendors must comply with all city, county, state and federal laws, statutes, ordinances, regulations and rules relating to the Community Market, vendor products and the vendor's business conducted in the Community Market. Failure to abide by ordinance, laws and regulations may be basis for suspension or expulsion. • Community Market does not discriminate in public accommodations or employment on the basis of race, sex, religion, national origin, age, color, disability, or sexual orientation. • Community Market special events and construction may require relocation of space and/or early closing. • Market management will not approve any new vendor on Saturday. Review of all items to be sold or verification of vendors' farm will be by appointment only with market management during regular weekday office hours. • Community Market Staff are discouraged from accepting any gifts, of any kind, from vendors.

Cleanliness

• Vendor must keep the immediate premises clean, sanitary and orderly. Vendors must display all products on clean, well constructed tables. • Vendors are responsible for sweeping their rented stalls prior to leaving the market. • Merchandise, stock and other vendor property shall not be placed, stored, cleaned or processed in unoccupied stalls, fire lanes, neighboring spaces or common areas of the Community Market. The Community Market management will dispose of unauthorized items found in these areas, and a clean-up fee of \$50.00 per occurrence will be charged to the vendor, to be paid prior to the vendor renting future space.

Health Code

• Vendors offering samples must comply with all Clay County Public Health Department guidelines and post all permits issued. • No pets are allowed in any vendor stall(s) with the exception of dogs serving in official ADA capacity. • Vendors must display a copy of their license/permits when selling at the KCM. • Vendors must comply with measures and precautions to mitigate the spread of any communicable infectious diseases. Market Management reserves the right to evaluate and enforce precautionary measures and the use of appropriate protective equipment. Vendors not complying will be suspended for the duration of the season and future selling privileges will be reviewed prior to reinstating vendors selling privileges.

Misconduct & Disturbances

• No vendor shall do any discourteous act or use any language to offend the Market management staff, another vendor or shopper, or to intimidate a shopper into purchasing products. • Persons, who circulate false reports to upset, destroy or sabotage the operations of other vendors or the Market shall be subject to expulsion. • No "Hawking" or yelling out of product items or pricing to customers is permitted. Bullhorns or other audio equipment are prohibited. • No person shall approach a customer, for the purpose of making a sale, while the customer is in conversation with another vendor. • Playing of loud music in vendor stalls will not be permitted. • All vendors are required to wear shirts at all times, which must not contain any profanity or offensive images. • Vendors and their employees shall maintain themselves in a clean and professional manner.

Payment of Booth Fees

• Any vendor writing a bad check will be charged \$50 per check and no future checks will be accepted for one year. Returned check fees must be paid in full prior to reserving future space. If a second offence occurs the vendor will no longer be able to write any checks to the Community Market. • Late pay incidents will be reviewed at contract time.

Product Limitations

• No guarantee of exclusivity of products is made or implied. • Market management and the Community Market Review Committee will assess the number of vendors in each category. If deemed that the number of vendors selling a specific type of product has met its maximum, that sub-category will close. • No vendor shall be permitted to sell cold beverages or hot food for consumption at the Community Market, with exception of approved vendors with proper health department permits. • Additional value-added and art/craft items not listed on vendor applications must have prior approval by market management before they may be sold at the market.

Prohibited Items & Activities

• Display or sale of obscene, illegal, or unsafe merchandise is prohibited. • The consumption of alcoholic beverages or illegal drugs in the Kearney Community Market is strictly prohibited. • NO SMOKING, vaping or chewing of tobacco products by vendors or their employees in or near any vendor stall. • The storage, sale, creation or production of volatile or flammable materials or hazardous waste is strictly prohibited. • The use of any spark, flame or fire-producing device is prohibited in the Community Market, with the exception of approved vendors with the appropriate permits. • Market management shall have authority to remove from the Community Market any person gambling, under the influence of intoxicants or disorderly conduct. • Illegal firearms, aggressive or violent behavior, abusive or harassing behavior, including obscene language or gestures. Physical assault or fighting, sexual misconduct

Property Damage

• Kearney Community Market, Kearney Chamber of Commerce, Kearney School District, and City of Kearney Missouri and its sponsors, employees, agents or officials are hereby released from any responsibility or liability for loss or damage of merchandise while it is being stored in this location. • No person shall deface or do damage to buildings, pavement or other physical equipment of the Community Market. Vendor shall be responsible for the repair or replacement of any property, which may be damaged by a vendor, operation of the vendor's business or vendor employee. • Vendors are responsible for their own personal liability and/or product liability insurance.

Sales and Pricing

• Compilation of sales statistics is essential to the financial management and efficient operation of the Community Market. Vendors are required to report their yearly Community Market sales at the annual vendors meeting in February. • All prices must be posted, legible, and visible to the customer for all items sold. • Vendors may not enter into any price-fixing. • No vendor shall use "false pack" methods or have the topping/facing of containers with the best products exposed and poor products concealed underneath. • It is the responsibility of the vendor to warrant, refund, or exchange merchandise deemed unsatisfactory. For each complaint, a warning will be issued which can result in suspension and expulsion. • Market management may require that all produce sorted out as culls or otherwise considered of no commercial value shall be placed in containers and removed from the Community Market premises. The disposal of such product(s) shall be the responsibility of vendor.

Booths & Equipment

• Vendors are required to clearly display signage in booths. • Subleasing and/or sharing stall(s) is prohibited. • Shade structures must be clean and in good working condition. They must be secured to the ground with blocks, sandbags or other heavy objects in order to prevent property damage and injury to others. Vendors found without sufficient weight on each tent leg will be required to take down their tent. • Community Market does not provide any set-up equipment or supplies. Vendors must provide their own tables, chairs, shelter/tent, and tent weights. • To prevent tripping hazards, vendors are responsible to ensure their extension cords are covered and secure. • All equipment and product must remain in the designated rented space.

Waste Disposal

• All trashcans are for customers only. Any vendor found using trash containers intended for customers will be charged a \$25.00 fee for each occurrence to be paid prior to vendor renting future space. • Vendors must take trash away from

property. • Dumping trash on the ground or in surrounding dumpsters will result in a fine of \$50.00 for each occurrence to be paid prior to vendor renting future space. An illegal dumping violation is subject to suspension and/or probation. • Vendors shall not allow water or fluids to seep or leak from their stands into the aisles, other vendor's stalls, or common areas. All water should be deposited into storm drains located at the northeast corner of the Market area.

Vehicles

• Vendors with vehicles longer than twenty-two feet from bumper to bumper require permission in writing from market management prior to bringing the vehicle on property. • At no time should vehicles be parked in the fire lane, on the curb, block any drive lane, entrance or exit in the Community Market or adjacent parking lots. Vendors parking in these areas are subject to a probationary warning and/or suspension. • Vehicles may not occupy unrented stalls or space behind vendor's vehicles. • Illegally parked vehicles will be towed at the vendor's expense.

Violations

Any violation of the Rules and Regulation can result in probation, suspension, or expulsion from the Community Market and is based on recommendation by market management for Community Market Review Committee approval. Vendors leaving early will be documented when exiting the Market. Two or more violations of Market hours will result in probation and possible loss of selling privileges.

Probation:

• Probation is a disciplinary action elected by management as an alternative, or as a prior measure, to a vendor's suspension or expulsion from selling privileges at the Market. • Probation ends when either: 1) The length of the probation period has been reached without violation of the terms of the probation. 2) Upon violation of probation terms, in which case the vendor is expelled from the Market and/or has his/her selling privileges revoked.

Suspension/Expulsion:

• Vendors who have been expelled from the Market are banned from renting spaces in the future. • A vendor who has been suspended or expelled may not return to the Market during the period of his/her suspension or expulsion as an employee or associate of another vendor.

KFM leadership structure:

The KCM leadership consists of the KCM Committee, the Kearney Chamber of Commerce, and Chamber Staff.

- The KCM Committee is organized and overseen by the Kearney Chamber of Commerce and consists of volunteers that have a vested interest in the market, local business development, local food supply, and/or agricultural practice. Vendors and community members are encouraged to participate. Those interested should reach out to the Market Manager or the Kearney Chamber of Commerce.
- The Market Manager is the liaison to the KCM committee and reports to the Kearney Chamber of Commerce Executive Director. The Market Manager is responsible for vendor relations, communications, and rules enforcement on the KCM committee's behalf.

Rules Enforcement, Violations and Appeal Procedures:

Vendors who fail to abide by the rules and regulations shall be excluded from selling at the Community Market.

No refunds will be given.

- The Market Manager, who will report to the Kearney Community Market Committee, will be selected to represent, and manage the market.
 - The Market Manager will be responsible for enforcing compliance of the market rules and regulations and will assist in day-to-day operation of the market.
 - The Market Manager has the authority to make decisions about prospective vendors and booth

layout.

- A vendor, Market Consumer or the Market Manager may submit to the Kearney Community Market Committee, a signed written complaint against a vendor where there is cause to believe a violation of the market rules and regulations exists.
 - The identity of the complainant will not be revealed to the market vendors.
 - The Market Manager will conduct an initial investigation of the complaint. The investigation will include an attempt to obtain detailed information from the complainant, the alleged violator and other witnesses before a determination is made of whether a violation has occurred.
 - For an immediately correctable violation, violators will be given oral warning indicating the offense and requesting compliance with market Rules and Regulations. The Market Manager will record the issuance of the warning. If the problem is not corrected by the following market day, the Market Manager will issue a written warning.
 - If a product legitimacy violation occurs, arrangements will be made for a farm inspection within the next week.
- A vendor may appeal against the Market Manager’s decision to the Kearney Community Market Committee in writing. Pending review, the vendor may be prohibited from selling in the market. The Committee shall begin to hear the appeal within 14 days of the exclusion of the vendor from the Market.
- Rules and Regulations of the market may be changed during the year based on the recommendations of the Community Market Committee arising from circumstances unforeseen at the time of the creation of this document.

Special Markets:

Special Markets, if any, will be determined by the Kearney Community Market Committee. Fees for special markets will be set at the time of designation.

State of Missouri:

- All Community Market vendors are required to familiarize themselves with the laws and requirements laid out by the Missouri Secretary of State related to state requirements for businesses in Missouri on the [Missouri Secretary of State \(.gov\) website](#). Vendors are expected to always abide by these laws and regulations.

City of Kearney, Missouri:

All Community Market vendors are required to familiarize themselves with the requirements laid out by the City of Kearney, Missouri in regard to retail sales occupational licenses at <https://www.kearneymo.us/Occupational%20License%20Application%202024%20fillable.pdf>.

Clay County Health Department:

- Vendors shall abide by the Clay County Health Department (CCHD) regulations and adhere to safe food handling practices regarding the preparation, handling and presentation of all food and items for sale. Contact Clay County Public Health Department at 816-595-4200.
- The Clay County Health Department can and will inspect the market at their discretion.
- No sampling or production of product on-site is allowed unless a CCHD Temporary Food Establishment permit or a CCHD Farmers Market Food Permit is obtained. Food sampled on-site must adhere to CCHD regulations on the last page of “Requirements for Farmers’ Markets.” Vendors that do not comply risk being shut down by the Community Market Coordinator and/or local Health Department. No refunds will be given.

The Kearney Community Market and the Kearney Chamber of Commerce assume no responsibility for enforcing these laws.

RULES AND REGULATIONS FOR SALE OF SPECIFIC PRODUCTS

THESE GUIDELINES ARE BASED ON REQUIREMENTS FROM THE CLAY COUNTY HEALTH DEPARTMENT'S REQUIREMENTS FOR FARMERS MARKETS AND IN SOME CASES DEFAULT TO STATE OF MO REGULATIONS.

THIS DOCUMENT CAN BE FOUND HERE:

[HTTPS://WWW.CLAYHEALTH.COM/DOCUMENTCENTER/VIEW/322/FARMERS-MARKET- REQUIREMENTS-PDF?BIDID=](https://www.clayhealth.com/documentcenter/view/322/farmers-market-requirements-pdf?bidid=)

RAW FRUITS AND VEGETABLES:

- (a) Must not be processed or altered.
- (b) Vendors may sell a mixed bag of produce or vegetables, but may not process, including chopping or shredding the fruits or vegetables without a processing license and approved processing procedures.
- (c) Producers are encouraged to wash all produce which could be consumed whole raw. Please reference G.A.P. protocols and FDA regulation 3-302.15.
- (d) Raw foraged fruits and vegetables are not allowed.
- (e) Stored to prevent contamination, at least 6" off the ground.

BAKERY GOODS:

- (a) Revised: Baked goods sold at a vendor's booth must be from a CCHD "Approved Source." All baked goods sold at the market must be produced in a facility that is both licensed and inspected. Proof of the baked good source (resale) and/or bakery license (vendor selling D2C) must be provided to the market manager upon request so that s/he can investigate the licensing of said facility.
- (b) The vendor may not sell items made from purchased pre-made dough, batters, crusts, or dry ingredient mixes. For example, the shortening (fats and oils), the leavening and the salt must be added by the vendor to comply with this rule.
- (c) The vendor may use pre-made frostings and fillings, but if the vendor does so, they must prominently post for the customer the fact that pre-made frosting and/or fillings have been used.
- (d) The vendor must keep all recipes on file and must be able to produce them at an in-house inspection.
- (e) Product must be labeled, and label must include:
 - 1) Common name of the food

A list of ingredients in descending order of predominance by weight, including a declaration of artificial color or flavor and chemical preservatives, if contained in the food

- 2) The name and place of business of the manufacturer
- 3) Major food allergens contained in the food, if not named in the ingredients
- 4) An accurate declaration of the quantity.

EGGS:

- (a) An egg license is required from the Missouri Department of Agriculture.
- (b) Eggs must be maintained at a temperature of 45 degrees or less.
- (c) Eggs must be in cartons that contain the same name and address of the producer.

- (d) Vendor must follow state regulations as outlined in “Requirements for Shell Eggs Sold in Missouri.”

MEAT AND POULTRY:

- (a) Labeling rules listed in (BAKERY GOODS) apply to the sales of meat and poultry.
- (b) All meat and poultry must be USDA inspected (if produced in Kansas) or approved by the Missouri Department of Agriculture.
 - 1. Each package must have a mark of USDA inspection.
 - 2. No exempt products allowed or sale of wild game.
- (c) A mechanical freezer is required to store the meat and poultry. All meat and poultry must be kept frozen.**
- (d) A CCHD Farmers Market Food Permit is required to sell meat and poultry.**
- (e) Dried meats (e.g. beef jerky) are allowed if labeled and produced in licensed facilities.

DRIED FRUITS, VEGETABLES & JERKY (DRIED MEATS):

- (a) Labeling rules listed in (BAKERY GOODS) apply to the sale of Dried Fruits & Vegetables
- (b) All Dried Fruits & Vegetables sold at the market must be produced in a facility that is both licensed and inspected. Proof of the Dried Fruits & Vegetables source (resale) and/or Dried Fruits & Vegetables license (vendor selling D2C) must be provided to the market manager upon request so that s/he can investigate the licensing of said facility.

JAMS, JELLIES & HONEY:

- (a) Labeling rules listed in (BAKERY GOODS) apply to the sale of Jams, Jellies and Honey.
- (b) State statute RSMo 261.241 exempts inspection if annual sales are less than \$30,000.
- (c) A “Placard” must be clearly visible informing the consumer at the point of purchase that the food is prepared in a kitchen that is not subject to regulation and inspection by the Clay County Health Department (if applicable).
- (d) No sugar free or no sugar added jams or jellies unless from inspected facilities.
- (e) No resale of jams. “Sold by manufacturer directly to end consumer.”- CCHD.

CAN / JAR PRODUCTS (SALSA, PICKLES, BBQ SAUCE, ETC.):

- (a) Labeling rules listed in (BAKERY GOODS) apply to the sale of Can/ Jar Products
- (b) Compliance with applicable state and federal regulations (DHSS, FDA)
- (c) Manufacturer must have process reviewed by a process authority.
- (d) Manufacturer must attend a Better Process Control School
- (e) All Can/ Jar Products sold at the market must be produced in a facility that is both licensed and inspected. Proof of the Can/ Jar Products source (resale) and/or Can/ Jar Products license (vendor selling D2C) must be provided to the market manager upon request so that s/he can investigate the licensing of said facility.
- (f) Sellers of can/ jar products must source locally grown ingredients when feasible.

MISC - SHAVED ICE, SNOW CONES, ICE CREAM, POPCORN, KETTLE CORN, CANDIED/ ROASTED NUTS, DRIED SOUP MIXES, PRE-PACKAGED FOODS (CANDY, SNACKS, BEVERAGES), FERMENTED FOODS:

- (a) Farmers market food permit required if time/temperature-controlled food.
- (b) All MISC sold at the market must be produced in a facility that is both licensed and

inspected (if produced off-site). Proof of the MISC product facility license must be provided to the market manager upon request so that s/he can investigate the licensing of said facility.

- (c) No resale allowed.
- (d) Washing facilities and wastewater holding facilities must be supplied.
- (e) Labeling rules listed in (BAKERY GOODS) apply to the sale of MISC.
- (f) Sellers of MISC must source locally grown ingredients when feasible and products must be produced within 110-mile radius of Downtown Kearney

COTTAGE PREPARED FOODS (RSMO 196.298.1) & RAW MILK:

- A. Are permitted in accordance with CCDH and Missouri Food Code's guidance which can be found here: <https://www.clayhealth.com/DocumentCenter/View/1492/Cottage-Food-Law---MO?bidId=>
- B. The majority of the foods that can be produced in a home setting are covered within the food code, by a section of the definition of what a **food establishment** 'is' or 'is not'. The section below provides the requirements to qualify for the exception to the definition of a food establishment that allows for production of foods in a home setting. Where local codes allow, individual stands in which only foods meeting the following conditions are sold, sampled or served:
 - a. Non-potentially hazardous processed food, except low acid canned and acidified foods as specified in 21 CFR 113 and 114 respectively, including, but not limited to breads, cookies, fruit pies, jams, jellies, preserves, fruit butters, honey, sorghum, cracked nuts, packaged spices and spice mixes, dry cookie, cake, bread, and soup mixes;
 - b. The seller is the individual actually producing the food or an immediate family member residing in the producer's household with extensive knowledge about the food;
 - c. The seller only sells, samples or serves the food directly to the end consumer;
 - d. All processed packaged foods bear a label stating the name and address of the manufacturer/processor preparing the food, common name of the food, name of all the ingredients in the food in order of predominance, the net weight of the food in English or metric units, and a statement that the product is prepared in a kitchen that is not subject to inspection by the department. It is recommended that honey manufacturers/processors include this additional statement to their product label: "Honey is not recommended for infants less than twelve (12) months of age"; and
 - e. The consumer is informed by a clearly visible placard at the sales or service location that the food is prepared in a kitchen that is not subject to inspection by the department if the foods specified in Part 3. H. (I) of this definition, are sold, sampled or served in unpackaged, individual portions. The department shall have the final authority in determining whether a food is non-potentially hazardous and may enjoin individuals who violate the provisions of this subparagraph from selling, sampling or serving these foods.

INEDIBLE AGRICULTURAL PRODUCTS (HORTICULTURE, DECORATIVE PLANT MATERIAL, CUT FLOWERS, PUMPKINS, SEEDS):

- (a) Sale is allowed at the Farmers' Market
- (b) No resale, products must be grown by selling farmers within 75 mi of Downtown Kearney.

- (c) Sellers of live plants must be registered as Nursery Growers or Dealers, see Market Manager for more details.

CRAFT PRODUCERS/ CRAFTERS PRODUCTS:

- (a) Sale is allowed at the Farmers’ Market if craft is assembled within a 75-mile radius of Downtown Kearney.
- (b) No resale is allowed, craft must be assembled by vendor or their employees.
- (c) Any products that depict images or representations that are not public domain must be licensed to reproduce.
- (d) Products offered must go through the application process with item inspection by the Market Manager or a designated crafters advisor before acceptance to be a member of the market.
- (e) Craft items made by farmer producer members may be sold on up-to 25% of their produce table space averaged across all market days and are subject to the same approval process as listed above.

SPROUTS, MICROGREENS, WILD & CULTIVATED MUSHROOMS:

- (a) All sprouts sold at the market must be produced in a facility that is both licensed and inspected. Proof of the product facility license must be provided to the market manager upon request so that s/he can investigate the licensing of said facility.
- (b) No resale of sprouts, microgreens or cultivated mushrooms.
- (c) Wild mushrooms will need to be certified by an expert- see MO Food Code.

By signing below, I agree that I have read, understand, and will abide by the 2025 Rules and Regulations for the Kearney Community Market.

Signature:

Date:
