

JEFFERSON COUNTY TRUCK GROWERS ASSOCIATION

~ RULES & REGULATIONS ~

Definitions

1. The Market – the 49 acres managed and operated by Jefferson County Truck Growers Association for the sale of produce and goods located at 344 Finley Avenue West, Birmingham, Alabama 35204
2. The Market Manager – the individual hired by the Board of Directors to oversee the daily operation of the Market and to enforce the Market’s Rules & Regulations as set forth herein
3. Board of Directors – nine elected board members of the Jefferson County Truck Growers Association who oversee the operation of the Market
4. Association – at large membership of Jefferson County Truck Growers Association
5. Alabama Farmer – any individual who meets the following criteria may rent a selling area at the Market under the Alabama Farmer area:
 - a. Has actively grown produce in Alabama for the forty-five (45) days preceding application; and,
 - b. Has a grower’s permit from his/her County Extension Office Agent; and, either,
 - c. Provides an address for the location of the place where goods are grown; or,
 - d. Provides a farm number as issued by the United States Department of Agriculture (information will be provided on Annual Crop Report).
 - e. All farmers must sell on the North End until the documents listed above have been verified by the Board and/or the Market Manager.
6. Selling Area – any area leased for the sale of goods on the Market; also known as a block, shed, booth, stall or space
7. Vendor – individual selling from a leased selling area at the Market
8. Lessee – individual who signed the lease agreement and is responsible for the rental of a selling area on the Market
9. Other Seller – employee or agent of a vendor, lessee, or farmer
10. Buyer – individual members of the public and resale

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11. Any persons, vendor, lessee or other seller on the Market who violates any of these rules and regulations, unless otherwise written in these rules, will be subject first to a written warning by the Market Manager. A second offense will result in immediate expulsion from the Market.

Any person who has been expelled from the Market shall be barred from the Market until reinstated by the Board of Directors. Any person who has been expelled by the Market Manager may appeal from said expulsion to the Board of Directors. Said appeal must be made in writing within seventy-two (72) hours after the expulsion and such appeal shall set forth in a concise manner the cause of the expulsion and the reasons for appealing therefrom. In the event that legal representation is going to be present at an appeal, the market manager must be notified at the time that an appeal is requested. The Board of Directors shall fix a time for hearing not less than one (1) day, or more than three (3) days, after the appeal has been filed. After hearing such appeal, the Board of Directors may affirm the revocation or expulsion, or reinstate the applicant, and the action of the Board of Directors shall be conclusive and final.

12. Should any individual file a lawsuit regarding these rules, said individual's rights to sell at the Market will be suspended until such lawsuit is resolved. Moreover, should said individual not prevail in the lawsuit, such suspension will continue until such time as the individual has paid for any fees the Market accrued in the defense of the lawsuit.
13. The Market Manager, or his designated agent shall have the right of supervision and general control of the market, streets and alleys immediately adjoining thereto, and shall collect all fees, rents, etc., and deliver to each lessee, buyer, or seller the required receipts or ticket for their use while doing business on the Market grounds.
14. No lessee, buyer, or seller shall deface or damage the buildings, loading platforms, packing sheds, selling areas, streets, or other physical equipment of said market, normal wear and tear expected.
15. No person shall sell or offer for sale on the market any item until the required fee or rent has been paid to the Market Manager or designated agent.
16. If membership dues and block fees are not paid in full by July 1st of each year, there will be a \$30.00 late fee added to your membership dues and a \$100.00 late fee added to block fees. If all fees are not paid by August 1st of each year, membership and block privileges will be revoked.

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17. In order to retain active membership status and member privileges (including voting rights, block access, and reduced gate/scale fees), all members must be present at one annual membership meeting per every three years. (Exempt after 65 years of age)
18. Only Alabama Farmers, as defined above, may lease a selling area in spaces 45-78 under shed No. 10 from May 16 – October 31. From November 1 – May 15, spaces 45-78 under shed No. 10 are available for lease to any applicant.
19. The Market Manager, or his duly authorized agent, shall have the authority to direct the arrangement, parking and movement of all vehicles on the Market, including those of lessees, buyers, and sellers.
20. In the event of a conflict between two neighboring selling areas, the Market Manager has the right to relocate the assigned selling areas of both parties.
21. No person renting a selling area on the Market shall sell, sublet or assign the same, or any part thereof or use same for any purpose other than loading, unloading, displaying and selling farm products without the express written consent of the Market Manager.
22. False packs are prohibited, and sharp and dishonest practices carried on at the Market will be punished by the procedures as set forth herein.
23. The use of profane, abusive, or discourteous language on the Market is prohibited and will be punished by the procedures as set forth herein.
24. Any person leasing space on the Market, or any other person while on the Market, who does any act that endangers the lives or property of others on the Market will be immediately expelled from the Market.
25. No vendor or other lessee on the Market shall do any act or use any language, intended to insult another tenant or customer, or to intimidate a shopper into purchasing his produce, nor shall they attempt to fix the price of produce of any farmer or other vendor or merchant. Every vendor or seller on the Market shall sell his or her produce at whatever price they deem appropriate without the interference from any other vendor on the Market.
26. Any tenant or vendor who circulates false reports of stories tending to disturb, destroy or upset the operation of the Market, or that may cause distress or damage to other tenants by way of loss of prices, shall be punished by the procedures as set forth herein.

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27. Any user of any selling area on the Market, either under roof or in the open, must keep his immediate premises clean, sanitary and orderly, and any person violating this rule shall be punished by the procedures as set forth herein.
28. Any Alabama farmer utilizing agents to man his or her selling area must sign in said agent at the main office. The Alabama farmer is subject to penalization under these rules and regulations for any violation of these rules and regulations by his or her agent.
29. Any person, firm or corporation desiring to lease warehouse units in the Market must file with the Market Manager a written request for such space with the following information: name of person, partners of firm desiring said space; products to be handled; number of years in produce business; name of bank used; and other information as may be requested by the Market Manager. Accompanying said written request will be required a deposit of one month's rent in advance. The association and/or the Board of Directors reserves the right to reject any and all requests and to promptly refund any deposits.
30. All platforms, aisles and walkways must be kept free and clear at all times and all produce must be displayed at least two feet off the ground and no produce may be displayed in the aisles when retailing product. (Retail displays can be made on trucks, trailers, or tables.)
31. Wholesale displays are to be made of pallets, trucks, or trailers.
32. All trucks must be parked with their tailgate toward the selling area.
33. No vendors of any type allowed on the Market without written consent of the Market Manager or his designated agent.
34. All state, city, county, and federal laws must be observed and any violation of said applicable laws will subject the violator to expulsion from the Market.
35. The Market or any of its employees shall not be responsible for any loss of private property located on the Market through theft or otherwise. The Market will not be responsible for personal injuries or damage to private property on the Market.
36. There shall be no vehicles allowed on the Market that are not operable and any vehicles left on the Market in a non-operable condition will be removed from the Market and stored at the vehicle owner's expense.
37. All day laborers working on the market must obtain a badge and vest from the market office before any work is performed. Any vendor or lessee must provide the market office with written notification of all full-time employees. Any full-time employee of

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said vendor is not required to a badge or vest and said vendor takes full responsibility of all action of said employee. Any vendor/lessee that hires a day laborer is responsible for insuring that individual purchases a vest & badge from the market business office. The fine for employing a day laborer without a vest & badge is \$500.00. Day laborer will be escorted from the premises immediately.

38. All tenants, sellers, vendors or other lessees of space on the Market shall be responsible for the actions of their employees and workers. Any violation by their workers or employees of the above and foregoing rules and regulations, shall subject said tenant, lessee, vendor, etc., to the same penalties described herein as if they personally had violated the same rule or regulation. The Market Manager, or his agent, has the right to remove any employee or worker from the Market premises for violation of these rules and may impose appropriate penalties on the employer for the action of his or her employees.
39. Selling areas shall be rented either by the year or by the day. When selling areas are rented by the year, the association reserves the right to rent those same stalls by the day when such stalls are not being used by said yearly lessee.
40. All lessees, tenants, vendors, farmers, buyers, or sellers on the Market shall be responsible and liable for their daily use of electrical service for personal fans, air conditioners, coffee pots, radios, etc., and the amount of said use of electricity is payable daily to the Market Manager in addition to the regular rental fee for the selling area. The amount of said daily additional payment for electrical service will be based upon Alabama Power Company's current estimate of daily charges for electrical service necessary to run each such electrical appliance being used by said lessee.
41. Burning of open fires, salamanders, or any other type heater which emits smoke or in any way endangers Market property is strictly forbidden. Any person who violates this rule will be subject to penalties as provided within these rules and regulations.
42. Any truck not loaded shall be moved and that selling area rented to someone else. A farmer cannot hold a selling area with a truck with one item on it or by a board being placed on the selling area.
43. The above and foregoing rules and regulations are subject to change at any time at the discretion of the association and or Board of Directors and any such change will be posted prior to its taking effect.
44. No firearms are allowed on the Market at anytime. Violation of this rule will result in immediate expulsion.

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- 45. No alcoholic beverages are allowed on the Market at any time. Violation of this rule will result in immediate expulsion.
- 46. Intoxicated individuals are not allowed on the Market at any time. Violation of this rule will result in immediate expulsion.
- 47. Any threats of harm or of damage to property made by any individual on the Market against any other individual will not be tolerated and will subject the person making said threat to immediate expulsion.
- 48. All tenants are subject to eviction in accordance with the laws of the State of Alabama for violating the terms of their respective leases.

By signing below you acknowledge receipt and understand the above Market Rules and Regulations of the Jefferson County Truck Growers Association

_____ Date _____

Member Signature