



**BYWARD MARKET
DISTRICT AUTHORITY**

**L'AUTORITÉ DU DISTRICT
DU MARCHÉ BY**

2024 Outdoor Vending
Operating Procedures

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1. Definitions

Applicant: means a person who is in the process of applying to become a licensee of the ByWard Market District Authority;

Art and Craft Product: means:

- a) functional, handmade goods produced or created from raw or basic materials which are changed into a significantly different shape, design, form or function using a special skill; or
- b) artwork that has aesthetic or artistic value; or
- c) functional goods that have been substantially altered by any of the creative or manual arts from a finished or semi-finished product;

Art and Craft Vendor: means a person who is actively and directly engaged in 100% of the production of an art and craft product;

Busker: means a person, or group of persons who plays musical instruments, sings, dances, acts or otherwise provides entertainment in the market or who creates temporary art in the Market who receives voluntary, non-compulsory compensation from the public in the form of donations or tips;

ByWard Market: means the area within the ByWard Market limits as shown in Appendix 1, this area shall be known as 'The ByWard Market' in all promotional activities;

ByWard Market District Authority: means the Municipal Service Corporation known as the ByWard Market District Authority, may also be referred to as "BMDA" or "the Corporation";

Community Market: means a market that is organized by a person, group, association or corporation and is approved for the use of market space by the BMDA for the purpose of selling products or services, raising awareness, fundraising or other purposes;

CSA: means Community Supported Agriculture and is a farming system that directly connects farmers and their consumers who have prepaid for a portion of the farm crops as they are harvested through the growing season;

Executive Director: means the person or persons hired by the ByWard Market District Authority to represent the Board of Directors on the daily and operational matters pertaining to the Corporation.

Farm Product(s): means:

- a) Agricultural products that include, but are not limited to, fruits, vegetables, plants, roots, mushrooms, seeds, cereals, honey products, maple products, horticultural, arboricultural and floricultural products, trees, cereal products, eggs, fish, meat, dairy products, fiber products, compost, manure, firewood, animal feed, etc.
- b) Microprocessed and street food products produced by the farmer, in which the primary or defining ingredient is grown or produced by the farmer; at the reasonable discretion of the Market Manager;

Farmer: means a person who:

- a) Is actively and directly engaged in the production of one hundred percent (100%) of the farm products sold or offered for sale at a market; and
- b) Makes or intends to make a substantial portion of their income from producing farm products, and whose primary goal is to make a living from farming; and
- c) Has ownership or leasehold rights to the land being farmed during the entire growing season, or shall have usage rights according to the government-sponsored or non-profit training program whose purpose is to aid farmers in full-time farming endeavors; or
- d) Is a member of a provincially registered producer-based agricultural co-operative in which all individual businesses meet the definitions (a) through (c) of a farmer;
- e) May also be referred to as a 'primary producer';

Farmers' Market: means a seasonal, multi-vendor market selling agricultural and food products where all of the vendors are producing what they vend;

International Importer: means a person approved to import high quality, non-domestic products and sell them to the general public;

Licence: means the Licence Agreement between the ByWard Market District Authority and the Licensee formalizing the Licensee's completion of the BMDA's approval process and that binds the licensee to the rules and regulations of the Corporation as well as all Federal, Provincial and Municipal laws;

Licensee: means a person licensed to vend within the BMDA delegated space;

Local: means 150km from 55 ByWard Market Square, or Parkdale Market Square;

Market Personnel: means any staff, volunteers, contract workers or any other representatives of the ByWard Market District Authority; may also be referred to as “personnel” or “staff”;

Market Manager: means the person or persons hired by the ByWard Market District Authority to manage and maintain the outdoor Public Market program;

Market: means either the ByWard Market, Parkdale Market or any satellite BMDA markets, as the context requires;

Microprocessor: means a person who is actively and directly engaged in the production of one hundred percent (100%) of all microprocessed products;

Microprocessed Products: means products that have been handmade from raw or basic ingredients into a high quality, value-added product and include, but are not limited to: bread, pies, cookies, pastries, rolls, muffins, preserves, take-home meals, snacks, etc.;

Ottawa Markets: means Marchés d'Ottawa Markets Corporation, the former municipal corporation that has been superseded by the ByWard Market District Authority;

Parkdale Market: means the area within the Parkdale Market limits as shown in Appendix 2, this area shall be known as ‘The Parkdale Market’ in all promotional activities;

Public Market: means a year-round, carefully curated, and diverse array of owner-operated shops, stands and outdoor markets designed to showcase a community’s unique character and culture while serving its everyday shopping needs;

Performer: means a person or group of persons who plays musical instruments, sings, dances, juggles, acts or otherwise provides entertainment in the market;

Permit: means the document issued by the ByWard Market District Authority that temporarily grants the licensee vending privileges to space at the market; may also be referred to as “stand permit”;

Producer: means a person who is a farmer, microprocessor or art and craft vendor who is the primary producer of all products being sold to the public;

Product: means any farm, wholesale, microprocessed, international import or art and craft product and any other goods that are approved for sale within the market by the ByWard Market District Authority;

Provincial: means the geographic area of the Provinces of Ontario and Quebec;

PPE: means personal protective equipment and refers to gloves, masks, clothing, helmets, goggles, face shields, or other garments or equipment designed to protect the wearer's body from injury or infection;

Retailer: means a person who is approved to purchase products to sell at market. This includes, but is not limited to, the wholesaler, importer, service and street food categories;

Selection and Appeals Committee(s): means an impartial and unbiased committee representing the ByWard Market District Authority in reviewing applicants to ensure that all applicants meet the values and requirements of the BMDA;

Service Vendor: means a person whose primary activity at the market is providing an intangible service to the general public;

Stand: means the area of the market which has been assigned to a licensee;

Storefront: means any business operating in a building that faces a street for which the ByWard Market District Authority has vending authority;

Street Food Vendor: means a person who is actively and directly engaged in the production of one hundred percent (100%) of the primary food concession items intended to be consumed on-site or for takeaway from either an inspected stand, approved food cart, or vending cart;

Vendor: means a farmer, microprocessor, wholesaler, art and craft vendor, importer or any other applicant who has been licensed to vend with the BMDA after completing all necessary applications and reviews; may also be referred to as an 'approved vendor' or 'licensee';

Violation: means an action by which a Licensee has contravened the rules and regulations set out in this document, breached their vendor contract or otherwise acted unlawfully;

Wholesale Products: means Canadian grown agricultural products that have been purchased by the licensee from farmers, shippers, warehouses, or wholesale distributors and are identified as purchased goods;

Wholesaler: means a person approved to purchase wholesale Canadian products and sell them to the general public to maintain fresh produce at the market;

2. Mission

The ByWard Market District Authority's mission is to maximize the ByWard and Parkdale Markets' potential to be unique year-round places and destinations to purchase local produce and goods as well as other services and products that meet the needs of local and city-wide residents and tourists alike

3. Farmers First Policy

- 3.2. To strengthen the region's farmers and primary producers who sell at the ByWard Market District Authority, as well as the provincial and domestic food production sector as a whole, the BMDA is guided by a "Farmer First" policy. This policy includes, but is not limited to, the following:
 - 3.3. Farmers are scheduled at the Market before all other vendors;
 - 3.4. Farmers are given priority stand allocations over all other vendors;
 - 3.5. Farmers receive preferred pricing for stands and are further offered a tiered pricing scale that is designed to demonstrate BMDA commitment to local agriculture and to ease the start-up costs to new farmers;
 - 3.6. Farmer applications to vend are accepted year-round;
 - 3.7. BMDA requires microprocessors and street food vendors to use locally or provincially sourced egg, meat, honey, maple syrup and liquid dairy farm products;
 - 3.8. BMDA is committed to programming and activations that highlight and promote local farm products;
 - 3.9. Farmers have the exclusive right to use product adjectives such as "home-grown," "hand-picked," "just picked," "grass-fed," "pastured," etc., when this claim is 100% accurate;
 - 3.10. CSA friendly. BMDA offers priority space allocations for local farmers to use as CSA pick-up hubs; some limitations may apply.

4. Values

- 4.1. **Food Security:** The ByWard Market District Authority believes that access to fresh, nutritious food is the foundation for the health and wellbeing of our community.
- 4.2. **Equity:** Operating from a position of privilege and acknowledging the inequality of Public Markets and Canadian agriculture generally, the ByWard Market District Authority will intentionally develop reciprocal relationships that allow it to identify potential policies and strategic opportunities to create more equitable food systems and vending opportunities for all.
- 4.3. **Transparency:** The ByWard Market District Authority is accountable to our shoppers by ensuring a transparent shopping environment where farmers, microprocessors and art and craft vendors are required to produce what they sell, and wholesalers and importers are clearly identified and prohibited from misrepresenting themselves or their products.
- 4.4. **Agricultural and Business Development:** The ByWard Market District Authority offers small and mid- sized farmers and businesses a low-barrier entry point to develop and establish a thriving business free from the overhead necessary to sell in large retail outlets, which allows for more engaged, creative and sustainable production models that focus on quality rather than on price alone.
- 4.5. **Customer Experience:** ByWard Market District Authority programs are designed to ensure vendors and customers alike feel they are in a safe, community-based space that promotes the best that the Nation's Capital has to offer.
- 4.6. **Education:** The ByWard Market District Authority is a resource for educating residents and tourists alike about Canadian agriculture, food production and arts and culture. The BMDA ensures that its communications add to this continuing education.
- 4.7. **Regional:** The ByWard Market District Authority values its unique position as a public market that meets the needs of Ottawa residents and tourists alike. It is proud to primarily offer local and provincial products but also highlights the wide diversity of products and cultures across Canada. The BMDA approach

to the goods and services offered by its vendors follow the below hierarchy:

- 4.7.1. **Local First:** when possible, the BMDA shall prioritize local vendors and products;
- 4.7.2. **Provincial:** vendors and products from Ontario and Quebec will be prioritized when local options are unavailable;
- 4.7.3. **National:** vendors and products from across Canada will be offered as appropriate and at the discretion of the BMDA.
- 4.7.4. **International:** the BMDA may invite select international importers of high- quality products to sell at the Markets where appropriate and at the discretion of the BMDA.

5. **Market Vending Authority**

- 5.1. Public Market Vending Authority. The Public Market hosts outdoor vending including farmers, microprocessors, wholesalers, authors, art and craft vendors and select importers. The BMDA may also animate the Public Market with buskers, activations, events, promotional activities or community markets that align with the statement of values in Section 4.
- 5.2. ByWard Market District Authority is a Municipal Service Corporation under the Canada Not-for-profit Corporations Act S.C. 2009, c.23. and empowered by the City of Ottawa on January 1, 2018, as the Public Market authority for the ByWard and Parkdale areas.
- 5.3. The Outdoor Market Procedures described in this document are governed by the BMDA Board of Directors and ratified by Ottawa City Council.
- 5.4. Amendments to the Outdoor Market Procedures are submitted yearly to the corporation's Board of Directors for review and consideration.
- 5.5. Amendments to the Outdoor Market Procedures shall be submitted to the Board of Directors through the Executive Director
- 5.6. The ByWard Market District Authority mailing address and head office is located at unit #201 55 ByWard Market Square, Ottawa, Ontario, K1N 9C3.

6. Outdoor Markets Procedures

- 6.1. The ByWard Market District Authority operates its outdoor market vending as a Public Market with curated, year-round vending to create unique places and destinations to purchase local produce and other services and goods.

Solicitation

- 6.2. The ByWard Market District Authority reserves the right to offer space at Market to charities, not-for-profits or other approved persons or groups for the purpose of solicitation, promotion, raising awareness to a cause, gathering signatures, or other such activities subject to the discretion of the BMDA.

Markets Management

- 6.3. ByWard Market District Authority personnel are responsible for monitoring and enforcing the operating policies of Parkdale and ByWard public markets.
- 6.4. The BMDA Manager shall monitor and evaluate vendors to ensure compliance with the rules and regulations of the corporation and **is** authorized to suspend or revoke, without holding a hearing, the licence or permit of a licensee for reasons established in these Operating Procedures.
- 6.5. The BMDA Manager has the authority to inspect stands at any time and to issue Infraction notices as per Appendix 4: Infraction System.
- 6.6. BMDA personnel may request the immediate removal of items that constitute infractions of BMDA rules and regulations.
- 6.7. BMDA personnel are authorized to collect stand fees.

Wholesalers

- 6.8. The BMDA offers vending space to eligible wholesalers who are able to operate five (5) to seven (7) days a week and best serve the mission and vision of the BMDA as a dynamic Public Market offering Canadian agricultural goods, specialty foods and other products.
- 6.9. The BMDA reserves the right to regulate wholesaler product availability and sales.

International Importers

- 6.10. ByWard Market District Authority reserves the right to accept International Importers to sell unique, high- quality specialty goods at the Public Market.
- 6.11. BMDA International vendors to be permitted at markets must produce a Fair Trade, B Corporation, NEST, SA8000 or equivalent certification from a recognized authority that ensures fair and safe labour standards for workers.
- 6.12. Any existing permitted “AC4” (Artisan & Crafter Importer) vendor, vending continuously since 2018, shall be carried forward for a period of 5 years under the category of “International Importer”.
- 6.13. The BMDA reserves the right to regulate imported product availability and sales.

Street Food Vendors

- 6.14. The ByWard Market District Authority reserves the right to allow high quality, unique street food vendors to operate a stand at the Public Market.
- 6.15. Street Food Vendors shall abide by all requirements outlined through Ottawa Public Health and the City of Ottawa By-law & Regulatory Services and by all requirements of their licence and permit.
- 6.16. The BMDA reserves the right to regulate Street Food vendors’ products, signage and sales within available vending spaces and all signage must also adhere to City of Ottawa By-law No. 2003-520, By-law No. 2004 – 239 and By-law No. 2016-326.

Buskers

- 6.17. ByWard Market District Authority welcomes and encourages busking in the market. Buskers shall comply with all laws and regulatory requirements applicable to their activities.
- 6.18. Busking at the markets at no time is to impede the operations of a business.

Performers

- 6.19. ByWard Market District Authority reserves the right to animate BMDA Markets with the support of local, provincial, and national performers to create vibrant

public markets that serve the BMDA mission.

- 6.20. All performers are subject to the approval and discretion of BMDA personnel and shall abide by all directions.
- 6.21. All performers shall act professionally at all times and shall adhere to the requirements specified in their agreement with the BMDA.
- 6.22. Performance spaces are at the discretion of BMDA management.
- 6.23. Certain types of performance may be considered higher risk than others; such high-risk performers may be subject to insurance requirements.

Producer-only Market(s)

- 6.24. The BMDA Public Market may also include seasonal, producer-only markets including Farmers' Markets and Crafters & Artisan Markets. Such markets operate on the 'grow it, make it, or bake it' principle where all vendors produce what they sell to the customer.
- 6.25. Producer-only markets have designated market locations that are clearly distinguished as producer-only spaces.
- 6.26. BMDA Farmers' Markets are producer-only, seasonal markets providing the regions' farmers and small producers a dynamic vending opportunity in the heart of the City. Wholesale, reselling, brokering, or other forms of buying and selling of products are strictly prohibited in this space.
- 6.27. While the BMDA shall prioritize art and craft vendors who meet the local definition, the BMDA reserves the right to allow local, provincial, and National art and craft vendors to sell at the Market. Showcasing the diversity represented by Canada's art and craft vendors at the Public Markets of the Nation's Capital aligns with the BMDA mission and vision.

Activations

- 6.28. The ByWard Market District Authority reserves the right to allow third parties to create, organize and host community events in BMDA vending locations. Such activations shall receive approval from the BMDA and may include, but are not limited to, flea markets, flower markets, garage sales, festivals, fairs, etc.
- 6.29. The BMDA may also, from time to time, use the community market spaces as

venues for BMDA organized venues outside of their regular permit types and seasonal markets.

- 6.30. Activation spaces are available to a wide array of groups and organizations, and selling of goods is welcome and encouraged, but the BMDA shall ensure that the organizers are demonstrating a benefit to local and city-wide residents and tourists alike and that all events meet the mission and strategic vision of the BMDA. The ByWard Market District Authority shall, at all times, prioritize food and agricultural markets.

7. Stand Allocations

- 7.1. The BMDA reserves the right to allocate all stands and may, to meet specific BMDA objectives, allocate, limit, or otherwise dictate where any licensee is eligible to vend.
- 7.2. The BMDA reserves the right to, at any time, relocate a vendor's allocated stand to another space at market. The BMDA shall strive to provide as much notice to the affected vendors.
- 7.3. In allocating stands, BMDA personnel considers a wide range of criteria and variables with the goal of creating dynamic, balanced public market spaces that engage the public and adhere to the mission and values of the corporation.
- 7.4. Allocation criteria includes, but is not limited to, BMDA Farmers' First policy, space availability, product balance, storefront conflicts, vendor booking commitment, equipment requirements, vendor attendance history, vendor infractions or violations, and vendor payments outstanding.
- 7.5. All allocations are guided by the below vending category hierarchy that prioritizes producers within the Public Market. Any vendors licensed under more than one vending category shall be considered based on the lower of their category hierarchy for the purposes of allocation.

7.5.1. Farmers

7.5.2. Arts & Craft and Microprocessors

7.5.3. Retailers (inclusive of Wholesalers, Importers, and Service vendors)

7.5.4. Street Food Vendors

- 7.6. Seasonal stand bookings should be received no later than March 24th. Seasonal allocations shall be communicated to the vendor no later than March 31.
- 7.7. Monthly booking requests shall be received no later than the 20th of the preceding month. Monthly allocations shall have taken place by the 24th of the same month and any monthly permit requests received after the 20th of the preceding month will be allocated on a first come, first served basis (received through email – time stamped)

Daily Allocations

- 7.8. Daily bookings received with no less than twenty-four (24) hours notice shall be allocated in advance.
 - 7.8.1. All other bookings shall be conducted during morning allocations on the date of attendance.
 - 7.8.2. Daily allocations occur at 9:10 am at the info kiosk at 55 ByWard and will involve all vendors present to make their stand requests known. Any vendor requests that present no conflicts shall be placed in their requested spot if the request is in line with the above procedures and principles.
- 7.9. In cases of multiple daily vendors requesting the same stand, a random list generator (<https://www.random.org/lists/>) shall be used to dictate the selection hierarchy.

8. Fee Schedule

- 8.1. All fees are reviewed annually by the BMDA. Fees shall be set and published no later than January 1st for every calendar year.
- 8.2. All fees shall be paid by the Licensee without deduction or set-off as indicated on the invoices issued by ByWard Market District Authority.
- 8.3. Full season bookings are subject to a 25% deposit received no later than April 1st. Any vendors who have not provided a deposit shall forfeit their allocated stand permit.
- 8.4. Any fee payments outstanding after the payment terms of the invoice shall be

subject to compounded interest of 2.5% per month.

- 8.5. Any vendors with payments outstanding after two consecutive months will have their licence suspended or revoked.
- 8.6. All licence and permit fees are non-refundable. Requests for exceptions may be made in writing to the BMDA Market Manager.
- 8.7. No licence or permit will be issued to a potential vendor if there are any outstanding payments or unsettled tickets or infraction notices.

9. Market Schedule and Site Maps

- 9.1. All Market schedules are reviewed annually by the BMDA, and all schedule specifics shall be set and published no later than January 1st for every calendar year.
- 9.2. The BMDAs reserves the right to cancel a scheduled market date periodically, regardless of whether the schedule has already been set, due to severe weather events, events of municipal, provincial, or federal significance or other reasons as occasionally set by the BMDA.
- 9.3. Advance notice, as much as possible, shall be provided to all vendors impacted by a cancelled market date.
- 9.4. Compensation for cancellations shall be determined by the Market Manager.
- 9.5. BMDA site maps shall be published no later than January 1st for every calendar year.
- 9.6. The BMDA reserves the right to amend any site maps past January 1st as needed.

10. Permits

- 10.1. The ByWard Market District Authority issues the below permits:
 - **Full Season Permit** - a five to seven day a week, full season permit;
 - **Monthly Permit** – a five to seven day a week permit for a minimum of one

month;

;

- **Daily Permit** - for the market and date for which it is issued;
- **Open Permits** - as assigned by the BMDA for vendors or other activations outside of the above permit types that fulfil the BMDA's mission and strategic goals;

10.2. All vending privileges terminate at midnight on the last day shown on the permit.

10.3. Licensed vendors shall request monthly permits no later than the 20th of the preceding month. Requests are to be made in writing to BMDA personnel.

10.4. Open permits are issued by the BMDA on a case-by-case basis at the discretion of the Markets Manager.

10.5. Vendors who wish to cancel their Full Season or Monthly permit must notify the Market Manager in writing no less than 72 hours before the start of their requested permit start date. Failure to provide 72 hours cancellation notice will result in full payment being required with no refunds provided.

10.6. Vendors who wish to cancel their Daily permit must notify the Market Manager in writing no less than 24 hours before the start of the market date. Failure to provide 24 hours cancellation notice will result in full payment being required with no refunds provided.

11. Application & Eligibility

11.1. The application process is reviewed annually by BMDA management.

11.2. Applications for attendance at BMDA spaces shall be published no later than January 1st for every calendar year.

11.3. All persons who desire to vend at any BMDA Public Markets shall be licensed by the Corporation after an application and review process and shall then be issued a stand permit that grants vending privileges to a market location.

11.4. All licences and permits issued are for a set period that shall never exceed one calendar year.

Application Calendar

- 11.5. Farmers are eligible to apply year-round. Farmer applications received after February 1st are outside of the standard review process and subject to variable timelines for review and communication.
- 11.6. January 1 - Applications are available online and are intended to be completed using the online application process. Applicants unable to complete the application online may contact market personnel during business hours to arrange an alternative method of application.
- 11.7. February 1 - All applications from microprocessors, art and craft vendors, street food vendors, importers and wholesalers are due no later than February 1st.
- 11.8. February 1 to March 1 - ByWard Market District Authority shall review and evaluate all applications. Evaluations are based on the eligibility criteria (Section 11) and shall be conducted by BMDA personnel or the Selection and Appeals Committee, depending on the vending category.
- 11.9. During the review phase, applicants may be contacted for more information or to schedule a site visit.
- 11.10. March - Beginning in March, notifications of application status shall be sent to all applicants.
- 11.11. Applicants who are not approved to vend at the markets are provided details and rationale for the BMDA's decision and are allowed to re-apply at the start of the next application process.
- 11.12. Applicants who are approved as vendors are provided with a licence and are eligible for a stand permit.
- 11.13. The BMDA reserves the right to schedule additional application periods throughout the calendar year.

Eligibility Requirements for all Applicants

- 11.14. Consideration for a BMDA licence is contingent upon the submission of a complete application.
- 11.15. Applicants shall reside, and be legally entitled to work, in Canada.

- 11.16. Applicants shall comply with all applicable federal, provincial, municipal laws and any other applicable laws and regulations to which their business may be subject. It is up to the vendor to know and comply with the Provincial and Federal sales tax requirements.
- 11.17. Vendors shall provide the BMDA with a Certificate of Insurance that shows proof of insurance for public liability in the amount of not less than 2 million inclusive per occurrence and annual aggregate. Such Certificate of Insurance shall name ByWard Market District Authority and the City of Ottawa as additional insureds. Vendors do not need to have such insurance in place to be issued a licence, but no stand permits can be issued to a vendor without proof of insurance.
- 11.18. Vendors shall adhere to all government and BMDA regulations with regards to PPE, sanitization protocols, and vending procedures, and applicants shall demonstrate understanding and compliance of such regulations during the application and review process.
- 11.19. Applicants shall meet the criteria requirements for their respective vendor category.
- 11.20. Applicants and returning vendors shall provide the BMDA with a complete list of all products to be sold at the market in a given season. The BMDA shall approve the sale of each product that the producer wishes to sell. If a vendor wants to sell a product not previously approved, they shall provide written notice to Market Management no less than five days in advance of offering the product for sale.
- 11.21. Applicants shall be required to sign a licence and code of conduct, set by the BMDA, that holds all applicants and vendors to the rules and policies set out in this operating procedure document and any other requirements as indicated in the licence.

Eligibility Requirements for Farmers

- 11.22. Farmers shall comply with the above Eligibility requirements for all applicants.
- 11.23. Applicants shall meet the definition of farmer set out in Section 1.
- 11.24. Applicants shall own or lease the land they use for production. If the applicant is farming leased land, the following conditions apply:
 - 11.24.1. The leased land shall be local (within 150km) to the applicants'

primary farm or residence;

11.24.2. The leased land shall be fallow at the start of the lease term if annual crops are farmed; if the leased land is cropped with perennials (orchards, asparagus, etc.), lease agreements shall be for a minimum of 1 calendar year;

11.24.3. Another farmer is not actively farming the leased land;

11.24.4. Applicants have secured a written lease agreement that may be provided to the BMDA upon request.

11.25. Off-farm processing by a third party is approved for products farmers grow, raise or catch on the following conditions:

11.25.1. Where available, third-party processing shall be conducted locally. Where local processors do not exist, third-party processing shall follow the regional hierarchy as set out in Section 3. Out of country processing is prohibited without prior approval of the BMDA;

11.25.2. The farmer can ensure and demonstrate that the products received from processing are the products grown, raised, caught or foraged by the farmer;

11.25.3. The farm product being processed is not eligible to be supplemented by non-vendor farm products (e.g., a butcher providing a farmer with ground meat, cannot add in meat from other sources), but may be flavoured or manufactured with complementary products not grown by the farmer (e.g., a butcher making sausages for a farmer may add spices, fruits or vegetables to flavour the sausage, but may not add in non-vendor meats).

11.26. Microprocessed farm products shall:

11.26.1. Adhere to all local health authority requirements at the production site and at market;

11.26.2. Be labelled according to Canadian Food Inspection Agency requirements;

11.27. Have allergens displayed at the point of sale, and ingredient lists available if the product is intended to be consumed at the market (i.e., the product is not pre-packaged).

11.28. Exceptions to any of the above requirements for farmers may be made by Market Manager.

Eligibility Requirements for Microprocessors

11.29. Microprocessors shall comply with the above Eligibility requirements for all applicants.

11.30. Applicants shall meet the definition of microprocessor set out in Section 1.

11.31. Microprocessors shall produce all products from scratch. Co-packing arrangements, commercially prepared dry bases or mixes, dough mixes, crusts, shells, or fillings or any other 'non-scratch' preparation is strictly prohibited.

11.32. All microprocessed products shall adhere to all local health authority requirements at the production site and at the market.

11.33. All microprocessed products shall have allergens displayed at the point of sale, and ingredient lists available if the product is intended to be consumed at the market (i.e., the product is not pre-packaged).

11.34. All microprocessed products shall be labelled according to the Canadian Food Inspection Agency requirements.

11.35. Microprocessed products that contain the following ingredients shall source 100% of these products from local or provincial farms:

11.35.1. Eggs. Fresh, whole eggs used shall come from local or provincial farms;

11.35.2. Dairy. Fluid milk products used shall come from local or provincial farms;

11.35.3. Meat. All meat products used shall come from local or provincial farms;

11.35.4. Honey and Maple Syrup. All honey and maple products used shall come from local or provincial farms;

11.35.5. Exemptions to the above may be made by the Market Manager for vendors who have demonstrated an inability to source regional products (e.g., organic, halal, kosher, or other products that cannot be sourced

regionally).

- 11.36. Microprocessors shall keep a record of receipts and purchases of ingredients. The BMDA may request copies of such records as part of the licence application, licence review or site inspection procedures.
- 11.37. Exceptions to any of the above requirements for microprocessors may be made by the Market Manager.

Eligibility Requirements for Street Food Vendors

- 11.38. Street food vendors shall comply and obtain a City of Ottawa mobile refreshment cart licence.
- 11.39. BMDA shall treat all street food applicants and eligibility on a case-by- case basis in coordination with Ottawa Public Health and By-law and Regulatory Services.
- 11.40. Street food vendors are expected to offer high quality street food products that demonstrate a unified concept
- 11.41. Street food vendors shall be actively and directly engaged in the production of the primary food concession items intended to be consumed on-site or for takeaway and are allowed, pending approval from Market Manager, to sell a limited number of complementary products such as purchased beverages.

Eligibility Requirements for Artisan and Craft Vendors

- 11.42. Art and craft vendors shall comply with the above Eligibility requirements for all applicants.
- 11.43. Applicants shall meet the definition of art and craft vendor set out in Section 1.
- 11.44. Art and craft products shall be reviewed by Market Manager before they are approved for sale.
- 11.45. Art and craft vendors are encouraged to utilize local and regional materials wherever possible.
- 11.46. Where a vendor is utilizing finished or semi-finished products (e.g., t-shirts, greeting cards, upcycling products, etc.) as part of their art and craft product, such functional goods shall be ethically sourced and preference for locally,

regionally, or nationally shall be considered during the application process.

- 11.47. Reproductions of the visual arts commissioned by the art and craft vendor are allowed provided the art and craft vendor has sourced their reproductions nationally and that reproductions do not become the dominant product in the stand; exemptions may be made at the discretion of Market Manager.
- 11.48. Art and craft vendors shall keep a record of receipts and purchases of raw materials and supplies. The BMDA may request copies of such records as part of the licence application, licence review or site inspection procedures.
- 11.49. Exceptions to any of the above requirements for art and craft vendors may be made by the Market Manager.

Eligibility Requirements for Retailers (Wholesalers and International Importers)

- 11.50. Retailers shall comply with the above eligibility requirements for all applicants.
- 11.51. Applicants shall meet the definition of Wholesaler or International Importer set out in Section 1.
- 11.52. Wholesalers shall only sell Canadian-grown products.
- 11.53. BMDA will not consider retailer applicants that sell mass imported items or are engaged in commission sales of commercial products (multi-level marketing, network marketing, referral marketing, pyramid selling, etc.).
- 11.54. Importers are expected to offer high quality, specialty goods that demonstrate a unified concept.
- 11.55. Retailers are expected to commit to vending five to seven days a week.
- 11.56. All retailers shall keep a record of all receipts and purchases related to their product. As the BMDA may, from time to time, request copies of such records as part of the licence renewal, complaint or inspection.

Eligibility Requirements for Service Vendors

- 11.57. Service vendors shall comply with the above eligibility requirements for all applicants.
- 11.58. Applicants shall meet the definition of service vendor set out in Section 1.

- 11.59. Service vendors may sell a limited number of products, pending approval from the Market Manager, so long as they are complementary to the services provided and that the products do not become the dominant activity at the market.
- 11.60. Services provided at market shall be conducted with all public health requirements implemented.
- 11.61. The types of services offered at the Market are at the discretion of the Selection Committee or the Market Manager(s).

Application Review

- 11.62. All licences and permits are non-transferable.
- 11.63. All applications are reviewed upon receipt by market personnel who ensure all applications are complete, and if required, will gather additional information.
- 11.64. Microprocessor, street food vendors, wholesale, import and art & craft licence applications are reviewed by BMDA personnel who ensure that:
 - 11.64.1. Applicants meet the definitions and eligibility requirements of their vendor category;
 - 11.64.2. Creativity, source and quality of ingredient/material, production methods and overall quality meet the high standards of the BMDA;
 - 11.64.3. The products add value and diversity to the market and further the BMDA Mission.
- 11.65. Farmer applications are reviewed by the Market Manager, with support from the Province of Ontario, Ministry of Agriculture, Food & Rural Affairs as needed, to ensure that the applicant qualifies as a farmer and has provided all required information and documents necessary to be issued a licence.
- 11.66. Upon completion of the application review, the BMDA shall notify the applicant of the result. Successful applicants shall then be issued a licence and be eligible for a stand permit.

Annual Review Process

- 11.67. All vendors who wish to renew their licence for a new calendar year shall apply no later than February 1 to ensure there is no lapse in their licence status.
- 11.68. Any lapse in a vendor's licence will require a new application.

12. On-Site Regulations

Vendor Conduct

- 12.1. All vendors licensed with the BMDA must read and acknowledge, by signature, the BMDA Code of Conduct.

Safety at Market

- 12.2. All canopies, umbrellas and other stand coverings brought by the vendor must be anchored to the pavement or have weights (minimum 35 pounds each) securely attached to each leg, no matter the predicted, perceived, or actual weather.
- 12.3. Vendors shall ensure that stand set-up, equipment, and products do not pose safety hazards to anyone on-premises and are contained within the stand in an orderly manner.

Punctuality and Attendance

- 12.4. Vendors shall arrive at market no later than 9 am. Any vendor who has not arrived by 9 am shall be considered absent and their stand may be allocated during the daily allocation process.
- 12.5. Absent vendors who arrive after 9 am may be allocated a stand based upon availability, and at the discretion of market personnel.
- 12.6. A vendor who will be arriving late may maintain their allocated stand if they notify market personnel (by phone or email) no later than 8:45 am on the day of market.
- 12.7. Vendors shall unload all supplies and products in their designated space, park vehicles, and then return to unpack products and set up their stand. The reverse shall be true for load-out.

12.8. Vendors shall abide by all punctuality terms of their permit.

Stand Regulations

12.9. Vendors who have been allocated a semi-permanent structure or canopy owned by the BMDA shall not modify, add to, or damage the frame and cover.

12.10. Stands and tables shall not be a hazard to the public or other vendors.

12.11. No part of a vendor's display or set-up is allowed to extend outside their identified allocation.

12.12. All stands shall maintain a clean appearance at all times.

12.13. Vendors who are adjoining or adjacent (within ten feet) to a neighbouring stall shall ensure that the first 2 feet of their stand (measured from the front) does not have any displays, materials, products, or any other items that block the view above 4 feet.

12.14. Any product to be left onsite outside of business hours shall comply with all public health requirements and all food shall be protected from contamination and adulteration.

12.15. Vendors shall comply with relevant regulations, whether federal, provincial, municipal, or required by the BMDA.

Food Safety

12.16. Vendors are expected to know and implement the relevant food safety requirements for all products being sold at the Market.

12.17. Vendors with on-premises prepared foods, baked goods or street food products shall have a full canopy covering for the product, and if the product is exposed, shall be covered by a 'sneeze guard'.

12.18. Vendors offering any consumable products, including samples, shall comply with Ottawa Public Health requirements and guidelines.

Pricing of Products

12.19. Vendors shall set their prices.

- 12.20. Vendors are prohibited from influencing another vendor's pricing, agreeing or arranging to set prices, allocating markets or restricting output with other vendors or any other methods of price-fixing; such actions shall result in immediate suspension from the market.

Signs and Information Required at Market

- 12.21. Vendors shall display all signs required and label all products following applicable federal, provincial and municipal laws before selling commences.
- 12.22. Retailers shall be required to display origins of product and price, and are not authorized to use product adjectives such as "home-grown," "hand-picked," "just picked," "grass-fed," "pastured," etc.
- 12.23. Vendors shall have a business sign or banner identifying the farm or business name and location of the farm or place of production; such sign shall be visible from at least 6 meters away and in both official languages.
- 12.24. All products shall have prices clearly displayed to the customer at all times.
- 12.25. Vendors shall be able to provide a list of ingredients for any microprocessor or street food products available upon request by either customer or BMDA personnel.

Farm Products and Packaging

- 12.26. Vendors shall ensure that all produce sold in containers is in legal containers, such as pint, quart, bushel, 1-litre basket, etc.
- 12.27. Vendors shall ensure that all produce sold by weight is measured by a legal scale that has been approved by Measurement Canada.
- 12.28. If this scale is used at the market, customers shall be able to see a valid sticker indicating that the scale has been inspected, and they shall be able to see the display of the scale.
- 12.29. All shopping bags, packaging, take out containers, sauce cups, cutlery, drink cups, lids, and other related utensils must adhere to Government of Canada and Province of Ontario guidelines and packaging and environmental regulations.
- 12.30. No styrofoam is permitted at the market.

Vehicles and Equipment

- 12.31. Vehicles are prohibited from all Markets during operating hours unless prior approval has been granted.
- 12.32. Vendors shall not leave their vehicle(s) in, adjacent to, or near their stand or in any parking spaces designated as customer parking by the City of Ottawa Parking Services.
- 12.33. Prior approval to use a generator is required and is not guaranteed - vendors shall disclose their requirements for a generator during the application process. This may impact where vendor stands are allocated.
- 12.34. Vendors with generators or equipment using cooking gases or fluids such as propane shall have a properly functioning fire extinguisher.
- 12.35. Vendors shall ensure that generators are in good working order and be no louder than 50 dB(A) as measured at the closest vendor, dwelling, business, or designated public seating area.
- 12.36. Gasoline canisters shall not be stored next to a generator. The area around the generator shall be clear of flammable materials and structures.
- 12.37. Market personnel shall decide where generators are to be placed to minimize negative impacts to customers, neighbouring vendors, nearby storefronts and residents.
- 12.38. All equipment used for stand set-up and display at the market shall be kept in good repair. Any equipment that Ottawa Market personnel consider to be unsafe shall be required to be removed immediately.
- 12.39. All equipment shall be safely positioned and secured to prevent injury; any cords shall be covered to prevent tripping.
- 12.40. Generators and refrigeration equipment should be quiet (50 dB(A) measured at the closest vendor, dwelling, business, or designated public seating area) and odour-free. BMDA personnel may require vendors to curtail or cease the use of a generator or refrigeration equipment if noise or odour results in complaints from other vendors or customers.

Sanitation, Refuse and Waste

- 12.41. Stands and operations shall be sanitary and meet Public Health requirements.
- 12.42. All edible products and packaging materials shall be kept off the ground and protected from possible contamination.
- 12.43. Vendors shall ensure that if their product creates waste at the market (serving dishes, packaging, or sampling utensils), they shall provide a waste receptacle that is available to the customer. Such receptacles shall be relevant to the waste created (i.e., a vendor using recyclable utensils shall have a recycling receptacle) as governed by the City of Ottawa's waste services department.
- 12.44. Vendors shall keep their stand free from refuse at all times. Vendors shall remove any refuse or waste from the market (including sweeping and removing any produce or food refuse from the ground or floor).
- 12.45. All waste generated by vendors shall be removed at the end of the day for off-site disposal. On-site waste receptacles are for customer and market personnel use only.
- 12.46. Vendors shall not dispose of any liquid other than pure water down any drains at the market. All cooking oils, cleaning solutions, or water used for cleaning shall be removed to the vendors' premises and disposed of properly.
- 12.47. If a vendor's operation involves cooking oils or any other grease, vendors shall notify market personnel in their renewal or application and shall be responsible for installing temporary flooring to prevent spills from staining the market site. Any additional cleaning costs incurred by the BMDA shall be charged to the vendor.
- 12.48. Any waste found to be left onsite by a vendor will be cleaned and the cost incurred by the BMDA shall be charged to the vendor.

Incidents at Market

- 12.49. Vendors shall report all incidents that impact public safety at the market, including but not limited to accidents, injuries, theft, parked cars, and disputes, to BMDA personnel.

13. Complaints and Challenges

- 13.1. All vendor challenges should be made to BMDA directly using the form found in Appendix 5. Any claim, factual or otherwise, made publicly jeopardizes the market's integrity and could be subject to charges of slander or harassment.
- 13.2. Regular complaints or problems occurring at markets (i.e., that are listed on the infraction system in Appendix 4 as 1-2 point infractions) or between vendors should be directed to market personnel promptly.
- 13.3. Complaints regarding market personnel or market programs should be directed to the Executive Director.
- 13.4. Vendor Challenge forms are available from Market personnel at all markets during regular market hours; forms shall be submitted to the Market Manager at the market or emailed to the Market Manager or mailed to the Corporations office.
- 13.5. The Market Manager and/or Executive Director shall review each challenge form, and the submitting vendor shall receive a written response within one week of receiving.
- 13.6. Forms are to be submitted when a vendor believes a fellow vendor is misrepresenting their products, growing/production methods or is otherwise violating the rules and regulations of the BMDA, municipality, Province or Federal government.
- 13.7. The Vendor Challenge shall be made within the week of the suspected violation occurring; forms submitted that allege violations on past occasions shall not be accepted.
- 13.8. Forms shall be signed by the vendor submitting the form.
- 13.9. **The BMDA shall not reveal challenger(s)' identities to anyone, ever.**
- 13.10. The vendor receiving the challenge shall respond to the challenge in writing within 48 hours. Failure to admit or deny a challenge may result in a determination by the BMDA that the challenge is valid.
- 13.11. If a site inspection is required as part of a vendor challenge, it shall conform to the Inspection process in Section 14. Site Inspection Protocols.

13.12. If a vendor is found to violate the rules and regulations of the BMDA as a result of a challenge, the vendor may be fined, temporarily lose their vending permit or lose their licence to vend with the BMDA.

14. Site Inspection Protocols

14.1. Market Manager is authorized to enter and inspect a licensee's stand at any time and to issue infraction notices.

14.2. The BMDA shall request annual inspections of its Markets by the Ontario Ministry of Agriculture, Food and Rural Affairs.

14.3. When a vendor challenge form is received by the BMDA, the Market Manager shall determine if a site visit is required or if the violation alleged can be confirmed or denied through other means.

14.4. If a site visit is required, the Market Manager and a member of a relevant governing or regulatory body (i.e., a member of Ottawa Public Health if the challenge is regarding sanitary conditions of production facilities) shall visit the business.

14.5. The below protocols shall guide all site inspections by the BMDA:

14.5.1. Licensees subject to a site inspection shall receive at least 24 hours notice before their first inspection. If another challenge is made and further inspections are required within the same calendar year, no notice of an inspection shall be required;

14.5.2. Notice of inspection shall also contain specifics of the challenge made against the vendor with the name(s) of the challenger omitted;

14.5.3. Inspections shall only occur between the hours of 7:00 am and 7:00 pm;

14.5.4. The vendor being inspected is expected to cooperate with the inspector(s) and make themselves available for the inspection based on the notice provided by the BMDA, failure to make themselves available for inspection within five days of receiving the notice shall be considered non-cooperation and the BMDA shall revoke the vendor's licence;

- 14.5.5. Inspections shall only occur with the presence of the vendor being inspected unless this right has been waived by the vendor;
- 14.5.6. Inspector(s) may take photographs, videos or other forms of documentation of a vendor's business operation for the purposes of their inspection;
- 14.5.7. Vendors may be required to provide additional information or documentation to the inspector(s). All such information shall be provided within 48 hours of receiving the request.

15. Violations and Penalties

- 15.1. All violations of the BMDA' rules and regulations and the signed agreement between the BMDA and the licensee are subject to penalties and disciplinary actions as outlined in the BMDA Infraction System.

Infractions System

- 15.2. BMDA personnel may issue infraction notices to vendors for any violations of the rules and regulations, their licence, or the terms of their permit.
- 15.3. The Infraction System is designed to ensure that BMDA Public Markets are a safe, orderly, clean and fair space for vendors, staff and customers alike.
- 15.4. Infraction notices serve as a written warning, and the rule violation indicated on an infraction notice shall be immediately corrected.
- 15.5. The BMDA reserves the right to immediately revoke a licence of any vendor found to be harassing or abusing anyone while at the market or engaging in unlawful practices.
- 15.6. The Infraction System utilizes a point system, as indicated below. Points are reset at the end of each calendar year; however, points from the previous calendar year shall be factored into licence renewals and stand allocations.

15.7. The scale of disciplinary action using the Infraction system is as follows:

- **1 point** = written warning
- **2 points** = written warning
- **3 points** = loss of vending privileges for the next scheduled date
- **4 points** = loss of vending privileges for the next seven scheduled dates
- **5 points** = immediate termination of Licence

15.8. A copy of the infraction notice template may be found in Appendix 4.

Costs Incurred

15.9. From time to time, the BMDA may issue a fine to vendors in violation.

15.10. Such fines are intended to recoup costs associated with the following but not limited to:

- Inspection costs
- Cheques returned NSF
- Damage to equipment / Equipment Repair
- Security fees
- Locksmith / Key Changes

15.11. The BMDA will provide documentation and receipts illustrating all costs incurred through investigating the infraction to the vendor in violation.

15.12. All costs incurred must be settled prior to vending the following year.

Permit Suspension

15.13. A vendor may lose their vending privileges for a set number of dates if they accrue three or more points under the infraction system, if they are found in violation during a product challenge or inspection.

- 15.14. A loss of vending privileges involves a permit suspension. Such permit suspensions shall be for no less than one market date and no more than seven scheduled market dates.
- 15.15. Any vendor who receives more than two (2) permit suspensions in a calendar year shall have their conduct reviewed by the Executive Director and may be subject to revocation of their permit.
- 15.16. No refunds shall be issued to a vendor for any dates missed due to suspensions.

Licence Termination

- 15.17. A vendor may lose their licence to vend with the BMDA for the remainder of the term of their licence if they accrue 5 points under the infraction system, if they are found in violation during a product challenge or inspection; if they are found to be in breach of any municipal bylaw or Provincial or Federal law, are jeopardizing other vendor or customer safety.
- 15.18. A licence termination means the immediate loss of all privileges with the BMDA.
- 15.19. Vendors shall be required to return their licence and any permits they have been issued within three (3) calendar days of being notified of licence termination.
- 15.20. Vendors who have had their licence terminated may apply for a new licence in the next calendar year but will be expected to demonstrate how they have corrected the violation(s) that led to their licence termination.
- 15.21. No refunds shall be issued to a vendor for any dates missed due to termination.

Appeals

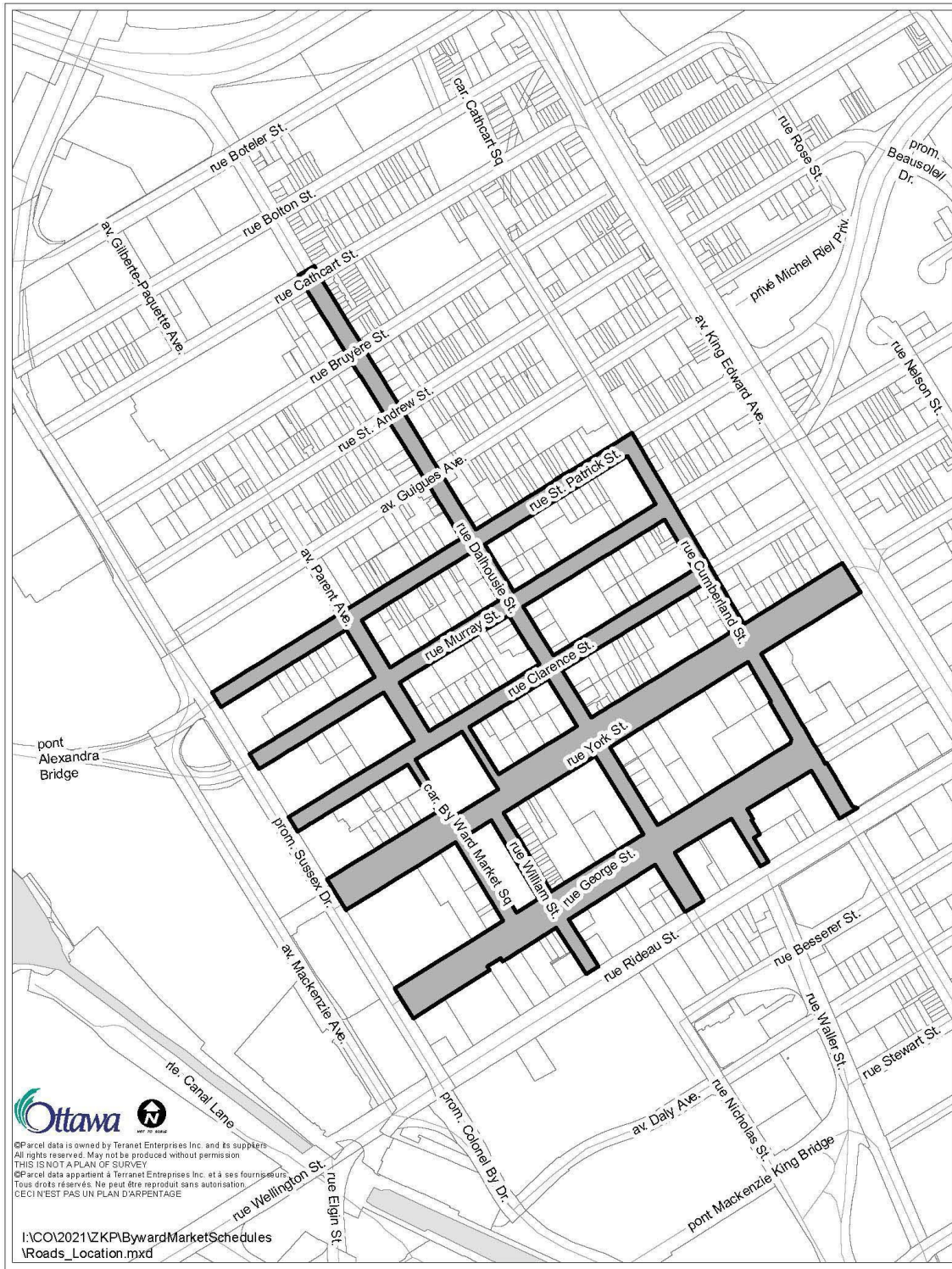
- 15.22. All vendors have a right to appeal any infraction notice, penalty, suspension, or termination decision made by the BMDA.
- 15.23. The vendor shall contest the decision in writing within 48 hours of the disciplinary action and indicate if they wish to make their appeal in writing or in person (including video conferencing as needed) to the Executive Director.

- 15.24. If an appeal is requested to be made in person, the BMDA shall reply within forty-eight (48) hours with a scheduled date and time for an appeal meeting to be conducted within fourteen (14) days.
- 15.25. The vendor will be able to provide the Executive Director with written evidence, documentation, and argument in advance of the meeting.
- 15.26. If, after hearing the vendor's appeal and reviewing all evidence and/or testimony, the appeals committee finds that a violation has occurred, the Executive Director shall determine the penalty using good judgment of all of the facts provided during the appeal and will notify the licensee.
- 15.27. If, after hearing the vendor's appeal and reviewing all evidence and/or testimony, the Executive Director finds that a violation has not occurred, a formal letter of apology shall be issued with a refund of fees for all market dates missed due to any permit suspensions or licence terminations.

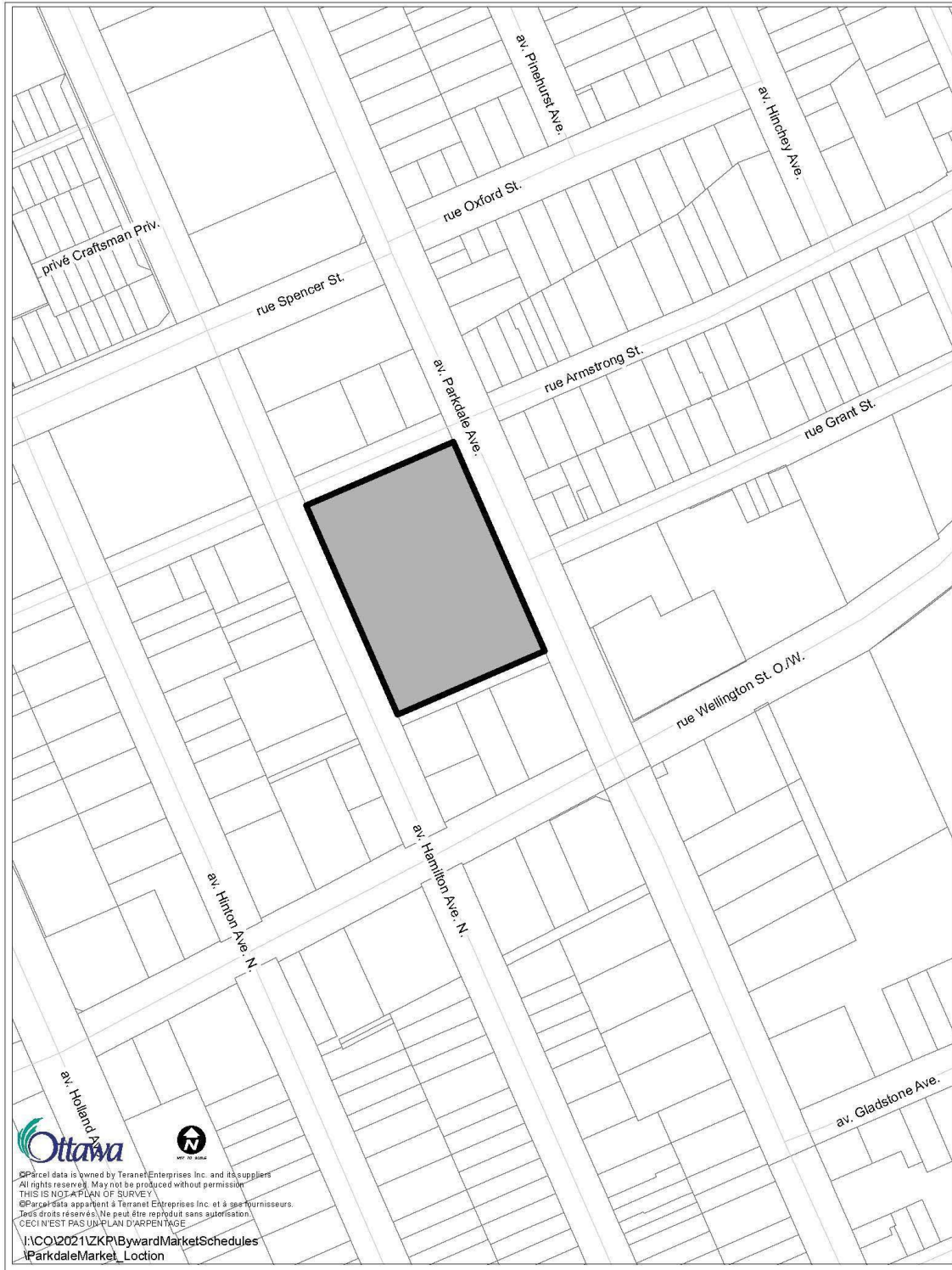
Mediation

- 15.28. Upon receiving the appeals committee decision, if the vendor remains unsatisfied, they may request closed mediation on a shared cost basis.

Appendix 1: ByWard Market Area



Appendix 2: The Parkdale Market



Appendix 3: Selection and Appeals Committee

The ByWard Market District Authority (BMDA, herein) Selection and Appeals Committee is authorized to make the final decision concerning application approval, issuance of OMC vendor licences, and appeals.

Microprocessor, street food, wholesale, international importers and art & craft vendor applications are reviewed by a selection committee who evaluates applicants and ensure that:

- applicants meet the definitions and eligibility requirements of their vendor category;
- creativity, source and quality of ingredient/material, production methods and overall quality meet the high standards of OMC;
- the products add value and diversity to the market and further OMC's Mission.

The Selection and Appeals Committee shall be composed of a minimum of 5 sector professionals, inclusive of Market Manager. Prior to an appeal, the composition of the committee shall be agreed to by the BMDA and the appellant. If no agreement between parties can be reached, the appeal shall be sent to closed mediation on a shared cost basis. .

The Selection and Appeals Committee shall be responsible for providing the BMDA with a report demonstrating that all applicants have been fairly and reasonably reviewed and making licence recommendations. Such reports will indicate what applicants have met all their application obligations and eligibility requirements and those who have not.

The Selection and Appeals Committee shall conduct all meetings and reviews so that its report to OMC personnel may be submitted at the March meeting of the OMC Board. The Market Manager shall be responsible for facilitating all meetings and reviews of the selection committee, as well as any other business of the committee as may arise from time to time.

Appendix 4: Infraction System

The Infraction System (Section 15) is designed to ensure that BMDA Public Markets are a safe, orderly, clean, and fair space for vendors, staff and customers alike. Infraction notices serve as a written warning and the rule violation indicated on an infraction notice must be immediately corrected.

As per Section 15 in Operating Procedures, Ottawa Market personnel may issue infractions to vendors for any violations of the rules and regulations or their vendor contract.



Selon la Section 15 des Procédures opérationnelles, le personnel de Marchés d'Ottawa peut émettre des infractions aux vendeurs pour toute violation de règles ou de leur contrat de vendeur.

1 POINT INFRACTIONS - INFRACTIONS D'UN POINT

- Absent without notice/Absent sans préavis
- Late to market/En retard au marché
- Deteriorated produce, low-quality goods/ Produits détériorés ou de basse qualité
- Hawking or other aggressive sales tactics/Colportage ou autres tactiques agressives de vente
- Sampling product outside of stand/Échantillonnage de produit en dehors du stand
- Insufficient waste receptacles/Nombre insuffisant de récipients à déchets
- Using waste receptacles on-site/Usage de récipients à déchets sur les lieux
- Stand disassembly before market closure/Démontage du stand avant la fermeture du marché
- Vehicle in Market or customer parking zone/Véhicule au marché ou dans la zone de stationnement des clients
- Improper labelling/Étiquetage inadéquat
- Display items or equipment outside of stand boundaries/Articles d'exposition ou équipement en dehors des limites du stand

2 POINT INFRACTIONS - INFRACTIONS DE 2 POINTS

- Not meeting public health requirements/Ne pas répondre aux exigences de santé publique
- Inaccurate, or unapproved scale/Balance inexacte ou non approuvée
- No prices displayed, improper signage/Aucun prix affiché, Affichage inadéquat
- Noisy or noxious equipment/Équipement bruyant ou nocif
- Non-compliance with Market personnel directions/Non-conformité aux directives du personnel du marché
- Alcohol consumption / La consommation d'alcool
- Sale of non-approved items/Vente d'articles non approuvés
- Smoking in a permitted vending area/Fumer dans une zone de vente autorisée
- Stand not anchored or weighted properly/Stand sans poids, non ancré correctement
- Stand or equipment is hazardous/Stand ou équipement dangereux
- Unsafe operation of a vehicle/Opération dangereuse d'un véhicule
- Waste or refuse left at the market/Déchets ou ordures laissés au marché
- Publicly disparaging other vendors/Dénigrer publiquement d'autres vendeurs
- Making inappropriate growing and/or production claims/Faire de fausses représentations de méthodes de culture/de production

3 POINT INFRACTIONS - INFRACTIONS DE 3 POINTS

- Unapproved reselling of product not produced by the vendor/Revente non approuvée d'articles non produits par le vendeur

4 POINT INFRACTIONS - INFRACTIONS DE 4 POINTS

- 'Price fixing' or other anti-competition activities/« Fixation de prix » ou d'autres activités anti concurrence

5 POINT INFRACTIONS - INFRACTIONS DE 5 POINTS

- Engaging in unlawful practices, harassment or abuse /Se livre à des pratiques illégales, harcèlement ou abus

Vendor in Violation/
Vendeur en violation:

Issuing Personnel/
Personnel d'émission:

Signature:

Market/
Marché:

Points this Year/
Points cette année:

Date:

Appendix 5: Vendor Challenge Form

The aim of the vendor challenge protocol is to ensure transparency and fairness and maintain food and operating safety at markets. Any regular complaints (1-2 point infractions) between vendors should be brought to market personnel as soon as possible for remediation.

Any claim, factual or otherwise, made publicly jeopardizes the market's integrity and could be subject to charges of slander or harassment. Do not air these concerns publicly.

Vendors may submit this form when they believe a vendor is misrepresenting their products, growing/production methods or is otherwise violating the rules and regulations of the BMDA or acting unlawfully.

Forms shall be signed by the vendor submitting the form.

The ByWard Market District Authority shall not reveal challenger(s)' identities to anyone, ever.

Your name, business name, addresses and phone number:

Name of the Vendor you are challenging: _____

Are you submitting this challenge regarding a specific product or a violation of the BMDA regulations?

Product Challenge

Rule Violation

Specific product(s) about which you are inquiring: _____

Market, date, and approximate time the product was being sold or the violation occurred:

Please provide specifics of the product challenge or rule violation and any evidence that supports your challenge:

Signature Date