



LYNCHBURG COMMUNITY MARKET

LOCAL & PROUD SINCE 1783

MARKET HANDBOOK

1219 Main Street

Lynchburg, VA 24504

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www.LynchburgCommunityMarket.com

Division of City of Lynchburg

Department of Parks & Recreation

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LYNCHBURG COMMUNITY MARKET

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HISTORY & LOCATION

As one of the nation's oldest markets, beginning in 1783 in downtown Lynchburg, the Lynchburg Community Market (LCM) is housed in the historic Armory Building and its adjacent plaza at 1219 Main Street, the corner of 12th & Main Streets.

GOALS

The Lynchburg Community Market's goals are:

- To perpetuate Lynchburg's historic public market activity
- To celebrate regional food traditions
- To provide access to fresh, farm-grown food while supporting local area agriculture
- To provide a public downtown gathering place, a "town square"
- To help revitalize downtown Lynchburg

In 1987 the Market expanded to a six-day a week interior market in addition to the traditional Saturday Farmers Market. Farmers have been joined by artisan vendors, several popular mini-restaurants that serve breakfast and lunch in two food court areas, and vendors of fresh meat and, Virginia products.

LCM BRAND

The Lynchburg Community Market strictly follows Branding Guide Standards in producing materials and products including approved fonts, colors and logo requirements. Any outside entity that wishes to utilize the LCM logo or affiliated brand attributes must do so with approval from LCM Management staff.

DEFINITIONS

FACILITY – Lynchburg Community Market, City Armory

- Market Hall – The area located within the interior portion of the LCM, including inside table space
- Market Plaza – The area located outside the LCM including under the large shed; the area surrounding the fountain; outside table space and the parking lot
- Permanent Shops - Enclosed spaces located inside the Market Hall
- Mini-Restaurants - Enclosed spaces located inside the Market Hall
- Stalls –permanent outside and inside spaces located at the LCM that are approximately 10’ X 10”.
- Walk-In Cooler with Individual Bins – Available for the use of vendors for a limited amount of storage on a first-come, first-served basis for a fee.

FRIENDS OF THE LCM – A non-profit, 501 (c) (3), volunteer organization started in 1987 whose charter is to:

- Aid in the growth, development and improvement of the quality of services provided by the Market/Armory complex
- Enlist public, business, and governmental interest and support for the Market/Armory
- Promote Market/Armory services to both vendors and customers, and market activities and festivals.
- Anticipate and find the means to fulfill the needs of the Market/Armory as defined by City Administration.

The “Friends of the Market” organization has no management authority for the operation of the LCM.

HANDCRAFTED – An article is considered to be handcrafted when:

- The shaping and forming of the article from a variety of materials, its finishing and decoration are accomplished by hand-labor and manually controlled methods are used that permit the maker to control and transform the construction, shape, design and finishing of each major part of an individual product.
- The article is the original idea of a craftsperson or a skillful rendering of a traditional or classic

design.

- Each item is hand-crafted by the artisan.
- The item displays craftsmanship, not just handiness.
- Ready-made parts or materials are used only if they are subordinate to the total design and craftsmanship of the article.

Products not considered crafts include mass produced or manufactured goods, second-hand goods, and embellished items (e.g. decorated mass produced items).

HOME GROWN – this category to define produce is not used at the LCM. The terms “Locally Grown”, “Virginia Grown” or “Re-sell Produce” are used at the LCM.

HOMEMADE – This label applies to goods being sold at the LCM, usually baked or preserved goods made at the home of the vendor or under the direct supervision of the vendor. All food items in this category must meet the standards set by the VA Health Dept. and the VA Department of Agriculture and Consumer Services, including labeling, content and proper storage rules. Representatives of the VHD, the VDACS and the LCM reserve the right to inspect the premises where goods being sold at the LCM are being prepared. The failure of a Vendor to allow access or cooperate in the inspections will be grounds for the termination of the Vendor’s lease to do business at the market.

LCM ADVISORY COMMITTEE – A committee formed to advise City staff on the management and future of the LCM and appointed by the Director of Parks & Recreation. The Committee consists of:

- The Market Manager
- Director of Parks and Recreation
- One member from the Friends of the Community Market association
- Two members from the Vendor group that is comprised of Farmers, Growers, Home-Made Food Preparers, Produce Re-Sellers
- One member from each of the following Vendor groups:
 - Mini-Restaurants
 - Craft Artisans
 - Permanent Shops

The Advisory Committee shall meet, at a minimum, once a quarter to advise City staff on issues of the LCM. The Advisory Committee will review policy, recommend and comment to City Administration on policy changes and overall management of the LCM. The LCM Advisory Committee has no management authority for the operation of the LCM.

LCM GALLERY COMMITTEE– A committee appointed, by the Director of Parks & Recreation, and consisting of the LCM Manager and at least two (2) individuals who are qualified to certify craft workmanship, originality, whether crafts appear to be handmade and appropriate for sale as “Artisan-Made Crafts” at the LCM. This committee will meet at least once a month for craft certification

decisions for the LCM. The certification of a craft does not guarantee space to sell at the LCM, but will expedite leasing when space is available.

LCM SELECTION COMMITTEE – A committee comprised of the LCM Manager and two (2) qualified citizens, appointed by the Director of Parks and Recreation. The committee is charged to review applications for mini-restaurants and permanent shops. The committee makes recommendations to the Director of Parks & Recreation in leasing these spaces. Decisions of the Director of Parks & Recreation are final.

LCM GALLERY VENDOR COMMITTEE – A self-governed committee comprised of artisan vendors and permanent shops that meets once a month to make community decisions for their individual businesses as well as to discuss suggestions for LCM Management. The LCM Gallery Vendor Committee has no management authority for the operation of the LCM.

LOCALLY GROWN - Produce grown by the selling Farmer Vendor, within a 75-mile radius of the LCM. Vendors selling produce/products that are “Locally Grown” are encouraged to label their products as such.

REGULATORY DEPARTMENTS OF CONCERN AT THE LCM

- Virginia Department of Environmental Health (VDH) – Regulates any food that is sold to the public at the LCM or elsewhere such as hamburgers, hot dogs, breakfast and lunch foods, etc. The booklet, “Commonwealth of Virginia, Board of Health, Food Regulations (12 VAC 5-421), contains all requirements that apply to the sale of food and is available for a small fee at the Lynchburg Health Dept., 1900 Thomson Dr., Lynchburg, VA 24501 (Near Lynchburg General Hospital).
- Virginia Department of Agriculture & Consumer Services (VDACS) – Regulates produce, products prepared in home kitchens and many other items that are sold at the LCM. Details are contained in a publication, “VDACS Food Safety Instruction Packet”, that can be obtained by calling the VDACS office, (804) 786-3520, Richmond, VA or at (540) 857-7344, Roanoke, VA. Farmers may also apply to VDACS to establish their products as “Virginia Grown”.
- Commissioner of Revenue Office – The Commissioner of Revenue Office, City Hall, 900 Church St., Lynchburg, VA 24504, issues and regulates licenses and permits for those who sell goods anywhere in the City of Lynchburg including the LCM.
- Treasurer’s Office, City of Lynchburg – LCM Vendors at the LCM are responsible for knowing and abiding by all tax laws. Details are available at the Treasurer’s office, City Hall; 900 Church St., Lynchburg, VA 24504.

RE-SELLERS – A Re-Sell Vendor is defined as one whose principal operation consists of buying produce and/or goods from others and reselling it for profit (retail operation). Re-sellers at the LCM shall be strictly regulated as described

below in “Operating Policies Specific to Each Vendor Group, Section A, Farmers/Growers/Producers of Homemade Goods and Produce Resellers“

VENDORS – There are four categories of Vendors or proprietors permitted to sell at the LCM:

- Farmers/Growers/Home-Made Food Preparers/Produce Resellers – Farmers/Growers are defined as professional farmers, part-time farmers, and urban/suburban/rural growers, who bring agricultural produce and related products to the LCM to sell. Preparers of goods such as cakes, breads, herbs, jams, jellies are permitted at the LCM under this category. All of these Vendors must follow all guidelines and meet the requirements of the VDH and VDACS.
- Artisans - Artisan vendors are defined as those making handcrafted decorative and/or functional items to sell at the LCM that demonstrate quality of craftsmanship. Products must be homemade and/or handcrafted by the vendor. See “Handcrafted” definition and “Operating Policies Specific to Each Vendor Group, Section B, Crafts Artisans“ for exact requirements.
- Mini-Restaurants - Mini-Restaurants are defined as those making and selling foods that are ready to eat either as takeaway or to eat at the LCM. Such items include, but are not limited to cooked vegetables and meats, baked goods, sandwiches, lunch and breakfast foods, salads, desserts, ice cream, coffee, sodas, and other non-alcoholic beverages. See “Operating Policies Specific to Each Vendor Group, Section C, Mini-Restaurants” for exact requirements.
- Permanent Shops - A few Permanent Shop spaces are available at the LCM. See “Operating Policies Specific to Each Vendor Group, Section D, Permanent Shops“ for exact requirements.

VIRGINIA GROWN - A program administered by the Virginia Department of Agriculture and Consumer Services (VDACS). Vendors selling produce/products certified by the VDACS as “Virginia Grown” are encouraged to label their products as such.

SNAP – The Supplemental Nutrition Assistance Program allows citizens to swipe their EBT Debit Card at the LCM Customer Service Window in exchange for tokens that can be “spent” with qualified Farmers/Producers/Artisan Food vendors. Vendors return the tokens to LCM Customer Service Window in order to be reimbursed for their products through the City of Lynchburg Finance Department.

OPERATING HOURS

The official Market hours are as follows:

Tue.-Sat. - 7 AM – 2 PM for all vendors

Mon., Sun. and Government Holidays - Open for special events only

All Vendors will have access to the LCM at 6 AM, to unload/set up merchandise. No Vendor shall set up before 6 AM. All vendors must exit the facility no later than 4 PM or two hours after closing. Additional times for loading/unloading may be available upon request to the Market Manager.

The doors to the indoor Market facility will be unlocked at 6:45 AM to admit customers.

Vendors of all leased indoor spaces are required to operate and sell on Saturday. LCM Vendors shall have sufficient quantity and variety of merchandise to sell during these hours and the merchandise must be properly displayed.

Monthly Vendors of outside stalls are expected to operate and sell on Saturdays during the months of April – October.

Mini-restaurants and permanent shops are expected to be open for business a minimum of five (5) days a week, five (5) hours daily; one of those days must be Saturday.

Vendors of all leased spaces must post and adhere to their established operating hours.

The City may terminate the lease of any Vendor that is consistently absent.

Changes in the operating hours will be at the discretion of the Director of Parks and Recreation.

The LCM Manager will:

- Schedule hours of operation
- Post hours in a prominent location at the LCM
- Advertise hours in local news media as appropriate

PUBLIC POLICY

Public policy applies to customers, vendors, and guests as a whole. Failure to comply with public policy will be handled by LCM staff and could result in expulsion from the Market or Lease cancellation.

Smoking and vaping is prohibited inside the Market Hall, including all Permanent Shops and Mini-Restaurants. Smoking is prohibited within thirty (30) feet of Market Hall entrance doors and walkways.

Animals are not permitted in the Market Hall at any time except for service animals. Animals may be brought through the Market Plaza as long as they are properly restrained on a leash or in a pet carrier.

Vendors, especially Farmers/Growers/Home-Made Food Preparers/Produce Resellers, should keep artisan food & produce elevated out of access from live animals brought into the Market Plaza. Animals, especially dogs, should be taken to the grassy area to relieve themselves when possible and owners are responsible for collecting defecation according to public safety standards.

APPLICATIONS, LEASE AGREEMENTS & SPACE ASSIGNMENTS

The Lynchburg Community Market (LCM) facility is owned and operated by the City of Lynchburg. The LCM staff has the authority to establish leasing policies that facilitate development of a desired market mix to best serve the City and customers of the market. *The primary objective of the desired market mix is to provide access to locally grown produce and agricultural products, home-made and locally produced food products and locally owned restaurants. The market also has a limited capacity to offer products produced from artisans.*

A Vendor must make application, obtain written permission from LCM management in the form of a completed and signed agreement or lease and pay all applicable rent before occupying any stall or space and selling at the LCM.

Applications to vend at the LCM will only be considered and approved if the applicant is in good standing with the City of Lynchburg.

The following priorities will be considered in making decisions on leasing stalls and spaces:

- Farmers/Growers/Home-Made Food Preparers will be given priority for interior and exterior stall spaces and Permanent Shops. Vendors agreeing to establish and adhere to operating hours of three (3) or more days will be given priority for interior stall spaces. Farmers/Growers/Producers of “Locally Grown” and “Virginia Grown” produce or products will be given priority in stall rentals.
- Locally owned and operated businesses will be given priority for the Permanent Shops and Mini-Restaurants. No franchises will be allowed to operate in the LCM.
- Artisans agreeing to establish and adhere to operating hours of three (3) or more days will be given priority over those operating less days.
- Farmers/Growers/Home-Made Food Preparers will be given priority for the tailgate and front row stalls.

The following types of spaces are available for rent:

- Permanent spaces
- Mini-restaurants
- Interior stalls
- Outside stalls
- Walk-in cooler space

Procedures for applying for a space at the LCM are as follows:

Permanent Shops and Mini-Restaurants:

- Applications are only accepted for open spaces. Openings will be advertised with an established application time period. To be considered for the space the application must be received during the established application time period.
- The LCM Selection Committee will review all applications and make recommendations to the Director of Parks & Recreation. The LCM Selection Committee may request an interview with the applicants as part of the selection process. If the applicant is an Artisan the LCM Gallery Committee will also participate in the selection process.
- The Director of Parks & Recreation will make all final decisions. His or her decisions are final.
- Leases for Permanent Shops and Mini-Restaurants are for one year.
- Application for Permanent Shops and Mini-Restaurants should be made using the attached document.
- Application does not guarantee a space.

Interior and Outside Stalls:

- Applications are accepted at the market office on an ongoing basis.
- Farmers/Growers/Home-Made Food Preparers/Produce Resellers should utilize Attachment 1 to submit an application and Gallery Artisans should utilize Attachment 2 to submit an application.
- Application does not guarantee a space.

Walk-In Cooler Space:

- A large walk-in cooler for the use of Farmers/Growers/Home-Made Food Preparers/Produce Resellers, Mini-Restaurant and Permanent Shop proprietors for a limited amount of storage at the LCM is available on a first-come, first-served basis.
- Vendors are limited to renting a maximum of three storage bins in the walk-in cooler.
- Leases are on a month by month basis.
- Application for cooler space should be made using Attachment 4.
- Application does not guarantee a space.

All perspective Artisan Vendors wishing to sell handcrafted items at the LCM, including, but not limited to textiles, jewelry, art, pottery or photography must, before offering goods for sale:

- File the appropriate application with the LCM.

- At the time of application, the Craft Artisan must submit a sampling or photograph(s) of the items that will be sold at the Market.
- Submit an application with the LCM Manager agreeing to the following terms and conditions:
 - Crafts sold at the LCM will be evaluated before certification of a craft item will be given.
 - The Market Manager and the LCM Gallery Committee will serve as the final decision-maker for certification.
 - The items for sale have been created by the vendor and that the vendor has read, and agrees to comply with, the guidelines for craft items.
- Receive and sign a space agreement.
- Certification of a craft does not guarantee an immediate space for selling, but will expedite the renting of a space as it may become available.

Mini-Restaurant Proprietors must in advance of sales:

- File an application (Attachment 3) with the LCM Manager that specifies the nature of the food that the vendor wishes to sell. Applications will only be accepted when spaces are open and advertised.
- The LCM Selection Committee will review all applications and make recommendations to the LCM staff.
- The selection committee may request a sample of the proposed food or a sample menu during the interview process.
- Receive and sign a space agreement.
- Obtain all licenses and pass all inspections required by law.

Vendors who want to use stall space for one day must have completed an application form, signed a space agreement and been pre-approved by the LCM Manager. Vendors who may want to sell on a one-time or occasional daily basis should submit their application, and have their product approved in writing and on file at least two weeks in advance before the day of anticipated sales. Space for day vendors is not guaranteed. No walk-in Vendors are allowed at the LCM.

At 6:30 a.m. on any day that the Market is open, any unoccupied vendor stalls may be reassigned for that day to another approved Vendor by the LCM Manager, and will be subject to the same policies for regular Vendors and goods sold at the LCM. “No Shows” will be assessed the normal stall rental rate. Emergencies will be considered by the LCM.

Vendors who lease on a monthly basis shall have the first option to renew his/ her lease of a specific stall, but the LCM does not guarantee a vendor any given space.

Failure to meet the terms of the lease, to comply with approved LCM policies, or to make payment of fees on time will be considered as just cause to immediately cancel any lease without prior notification.

If a current Vendor is interested in leasing a different or additional Permanent Shop, Mini-Restaurant, stall or cooler space they must make application following the procedures stated in this handbook. Application does not guarantee space. Allowing Vendors to lease multiple spaces is the exception and not considered to be in the best interest of the market. Leases will be reviewed periodically. If it is judged to be in the best interest of the LCM to improve the market mix the City reserves the right to terminate a lease.

LCM Management will determine assignment of all Market stalls or spaces. LCM Management reserves the right to change space assignments, at any time, as deemed necessary for the general benefit of the market.

Sub-leasing and/or subletting of LCM spaces is not allowed. Vendors may form partnerships and cooperatives to lease space, but all vendors in the partnership or cooperative must be under written agreement with each other and meet the terms and conditions of the lease with the City.

GENERAL STATEMENT OF POLICIES THAT APPLY TO ALL LCM VENDORS

This statement of policy regarding the operation of the Lynchburg Community Market (LCM) and other use of the Armory building and Market plaza area rescinds all previous or conflicting rules and regulations regarding the operation of the Market. Failure to meet the terms of the lease, to comply with approved LCM policies, or to make payment of fees on time will be considered as just cause to immediately cancel any lease without prior notification. **This policy is effective beginning June 1, 2016.**

CONDUCTING BUSINESS AT THE LCM

The LCM is to be used primarily as a market place for farm produce, home-made food goods, hand-made crafts of an artisan quality, fresh meat, Virginia products, specialty shops, and as a food court with mini-restaurants. Additionally, the Market plaza area may be used as a “town square” for *City-permitted special events. The use of the facility for other purposes shall in no way interfere with the normal operation of the LCM.

*Please refer to the City of Lynchburg Parks & Recreation web site:

<http://www.lynchburgparksandrec.com/rentals-and-special-events/> for information on Special Events Policies, including how to obtain a Special Events Permit.

Every vendor and all activities conducted at the LCM must comply with Federal, State and local laws.

It is the responsibility of all Vendors at the LCM to obtain and abide by all regulations of the Virginia Department of Environmental Health (VDH), the Virginia Department of Agriculture and Consumer Services (VDACS), and the Lynchburg Commission of Revenue and Treasurer's offices. Information packets and forms are available at:

- VA Dept. of Health - www.vdh.virginia.gov, or in person at 1900 Thomson Dr., Lynchburg, VA 24501, hours-8:15 AM – 4:30 PM weekdays; (434) 947-6781
- VA Dept. of Agriculture and Consumer Services - www.vdacs.virginia.gov, Richmond, VA or by calling (804) 786-3520 and requesting a "Food Safety Instruction Packet".
- Lynchburg Commissioner of Revenue – <http://lynchburgva.gov>; City Hall, 900 Church St.; (434) 455-3870
- Lynchburg Treasurer's Office – <http://lynchburgva.gov>; City Hall, 900 Church St., Lynchburg, VA 24504; (434) 455-4242.

If a Vendor grows what he or she sells at the LCM, they are not required to have a permit from the City of Lynchburg. All other vendors are required to have a permit issued by the City of Lynchburg if their sales exceed \$10,000 in a calendar year. Permits and business licenses must be displayed in a visible location at all spaces.

Parties interested in selling at the LCM must complete and submit application for space in accordance with the "Application, Lease Agreements and Space Assignments" sections of this handbook.

Making application does not guarantee space at the LCM. Applications will be reviewed and spaces allocated in accordance with the "Application, Lease Agreement and Space Assignments" section of this handbook. Incomplete applications will not be considered. The City reserves the right to select vendors that best support the goals of the LCM and enhance the market mix.

Wholesaling and Reselling is strictly prohibited except as it applies to the reselling of artisan foods & produce and the leasing of permanent shops as defined in these policies.

LCM management has the sole authority to approve or disapprove any items to be sold at the LCM and reserves the right to refuse space to any vendor selling unsuitable merchandise.

The LCM works in full cooperation with the Virginia Department of Health (VDH) and the Virginia Department of Agriculture and Consumer Services (VDACS). Representatives of the VHD, VDACS, and the LCM Manager or his or her representative reserve the right to conduct a visit to a Vendor's workshop, farm, or kitchen to ensure the integrity of products being sold at the LCM. The failure of a Vendor to allow access or cooperate in the inspections will be grounds for the termination of the Vendor's lease to do business at the market.

The City reserves the right to inspect leased stalls, Permanent Shops and Mini-Restaurants at anytime. Vendors may not change locks without approval from the LCM Manager. A key for each shop must be on file with the LCM Manager.

All Vendors (lessees) shall be held responsible for the actions of their employees, agents and persons working with the Vendor.

Vendors are responsible for safeguarding their products, supplies and money. Such items should not be stored in the Market during non-business days. The City is not responsible for loss or theft. ***The City will not be liable for damage to or loss of any of the Vendor's property, merchandise, equipment, or the property or equipment of any or its agents or employees which is brought onto the premises, regardless of how such damage or loss may occur, including any losses or damages caused by electrical or equipment failure, thefts, fire or by any other reason whatsoever. It is expressly agreed and understood that the Vendor, its agents and employees, in placing property, merchandise or equipment in and on the premises do so at their own risk.***

The LCM office, telephones, copier and computers are for City staff use only.

Office staff may not accept payment for items sold at the LCM by vendors outside of the LCM Gallery. All sales must be made from the Vendor's stall or space. No sales will be permitted in the loading zone, common areas or aisles except under certain circumstances which must be approved in writing by the LCM Manager.

When a space is vacated, for whatever reason, the Vendor must leave the space in the same or better condition than he/she found it. All items belonging to the Vendor must be removed from the space on or before the last day of the lease period. Any remaining items become the property of the City of Lynchburg and may be disposed of at the City's discretion.

Dollies are available for use by Vendors inside each of the LCM entrances on a first-come-first-served basis. Vendors should promptly return the dollies to the entrance for the convenience of other Vendors.

RENTAL PAYMENTS

Fees and rents are collected as follows:

- Vendors of Permanent Shops and Mini-Restaurants will be billed monthly by the City of Lynchburg, Department of Finance. Vendors are considered in default if rent is 30 days past due. Late payments will be subject to the City's standard interest and late penalty. The City may terminate a lease of any Vendor in default.
- All monthly stall Vendors shall pay rent to the LCM office by the last Saturday of the month for the next month. Rent is considered in default if not received by the first Saturday of every month. At time of default the LCM considers the lease terminated and will proceed

- with leasing the space.
- Daily Vendors must pay the daily fee to the LCM office prior to setting up in a designated stall space.
- No refunds will be given.
- The LCM is not responsible for lost or late payments sent through the mail or by third parties.

It is the responsibility of the Vendor to contact the LCM Manager in the case of emergencies that prevent paying fees and/or complying with the terms of the lease and LCM policies. A request for special consideration must be made in writing from the Vendor to the LCM Manager. Each situation will be given due consideration.

MAINTENANCE, DISPLAY & SAFETY

Vendors are encouraged to create displays at LCM that are attractive; however, LCM management must first review and give written permission for all stall or shop space modification, including posted or hanging materials.

The following policies serve to guide the maintenance and modification of spaces at the LCM:

- Vendors of Permanent Shops and Mini-Restaurants shall be responsible for all furnishings, appliances and fixtures.
- All changes and alterations to Permanent Shops, Mini-Restaurants and stalls must be approved, in writing, by the LCM Manager in advance of construction.
- All structural changes become the property of the City of Lynchburg upon termination of the lease.
- Electrical service is provided to inside stalls, Permanent Shops and Mini-Restaurants. The use is limited to the amperage provided.
- Alteration of the electrical service must be approved in writing by the LCM in advance of construction.
- Permanent Shops and Mini-Restaurants are rented in an “as is” condition. Any structural, plumbing, and /or electrical modifications are the responsibility of the Vendor and will be undertaken only after obtaining written permission of the LCM Manager. Modifications are at the expense of the Vendor, unless otherwise agreed upon in writing. The Vendor is required to obtain a City Building Permit prior to any modifications or construction of the spaces.
- Vendors may not use nails or other set-up materials which permanently damage stalls, Permanent Shops and Mini-Restaurants or create a safety hazard.
- Name signs are required of monthly inside stall vendors. The sign must be a maximum size of 36”X18” and hung in a location that does not impede customers or create a hazard. All signs must be approved in advance by the LCM Manager.

Each Vendor or Proprietor is responsible for the cleaning and maintenance of his or her space,

including the collection, removal and proper disposal of all refuse, grease and trash generated from his or her space. Promotional items that are not in direct relation to the business should not be displayed when the vendor or proprietor is not present. Flyers and other promotional materials not related to the vendor business left in the space will be removed by LCM staff.

Only clear liquids of a non-hazardous nature may be poured down the LCM drains. No hazardous materials, substances, equipment or objects shall be brought onto the LCM premises that will endanger or create a safety hazard to life, limb or property. Items for sale must meet all safety standards as defined by the VDH and the VDACS.

INSURANCE

Permanent Shops and Mini-Restaurants must acquire, and keep in force, commercial general liability insurance with a combined single limit of not less than \$500,000 per occurrence including products-completed operations coverage issued by an insurance company authorized to do business in the Commonwealth of Virginia and acceptable to the City of Lynchburg.

The Vendor and his/her insurance company shall provide a certificate of insurance:

- Naming the City of Lynchburg as an “additional insured”;
- Stating that the insurance shall not be modified nor cancelled unless at least forty-five (45) days prior notice to the effect is given to the Business Manager, Parks & Recreation Dept., City of Lynchburg;
- Indemnifying, keeping and holding harmless the Lynchburg Community Market and the City of Lynchburg from any and all claims and demands, whether for injuries to persons, or loss of life or damage to property, on or off the premises, arising out of the use or occupancy of the premises by Vendor and shall defend at Vendor’s own expense any action brought against the Lynchburg Community Market, or its agents or employees, as a result of the Vendor’s acts or omissions.

STANDARDS OF CONDUCT

Commitment To Our Customers - Why do customers visit the Lynchburg Community Market? Since 1783, there are many reasons why people visit and return to the market to include access to fresh healthy foods, community socialization, unique gifts of craft and art, and a fun, friendly environment that offers an irreplaceable Hill City experience.

Many factors are involved in creating an atmosphere in which people can enjoy themselves. Some factors such as weather are not controllable. A sincere and helpful vendor or management team is a factor that is controllable and a major area of focus at our market.

As a participant in the Lynchburg Community Market, the customer is our NUMBER ONE priority. The goal of the staff and vendor is to ALWAYS be friendly, understanding, and willing to serve. By allocating space at the Market, we are asking for a commitment from each vendor that we anticipate

to be upheld at all times.

Therefore, market vendors are expected to:

- Make eye contact and smile
- Greet and welcome customers
- Display appropriate body language at all times
- Preserve the Lynchburg Community Market experience
- Thank each and every customer
- Treat individuals, fellow vendors and management alike and those whom they serve, with respect, courtesy, and tact.
- Promote safe operations and comply with all appropriate safety and health regulations.
- Promptly report safety and health hazards so they can be corrected before injuries results.
- Render full and efficient service and provide the highest level of customer service possible
- Comply with all Market rules and regulations

The following conduct is expressly prohibited. Vendors who engage in any of the following are subject to expulsion from the Market.

- Carelessly or willfully causing destruction of City property.
- Threatening or assaulting a fellow vendor/staff or the public.
- Acting in a manner that is deliberately disruptive to the commerce of fellow vendors.
- Intimidating a customer for the purpose of sale.
- Deliberately misguiding customer for purpose of sale.
- Participating in mischievous actions such as horseplay, disorderly conduct or similar undesirable conduct.
- Using obscene language towards fellow vendors, market management, as well as customers.
- Arriving late consistently
- Using racial, sexist, or ethnic slurs
- Sexually harassing fellow vendors, management, or customers.
- Bringing a gun, knife or other weapon, either concealed or displayed, onto City premises.
- Engaging in rude or unprofessional behavior or disorderly conduct, even if the behavior is not expressly forbidden by regulation or law.
- Attempting to gain access to the market building after business hours unless approved by market staff

- Conducting any other types of business transactions not approved by application on Market premises
- Contacting Market Staff at their residence is prohibited. All Market related business must be addressed at the Market and during office hours located at 1219 Main Street, by phone at 455-4485, or at communitymarket@lynchburgva.gov. Violation of this clause will result in immediate expulsion.

OPERATING POLICIES SPECIFIC TO EACH VENDOR GROUP

Section A. FARMERS/GROWERS/PRODUCERS OF HOMEMADE GOODS AND RE-SELLERS OF PRODUCE

These policies are intended to:

- Encourage the sale of “Locally Grown” and “Virginia Grown” produce and products
- Establish labeling and signage standards that clearly communicate to the consumer the source of the produce and products
- Provide advertising tools to Vendors to market “Locally Grown” and “Virginia Grown” produce and products

Selling space (stalls) at the LCM assigned for agriculture products on market days shall be strictly limited to growers residing in the Commonwealth of Virginia or adjoining states.

Growers’ products shall include, but not be limited to vegetables, fruits, seasonal plants/flowers, meats, poultry, seafood, dairy products (milk, eggs, cheese, cream, etc.). Livestock may not be sold at the LCM. Vendors of home-made goods may sell items that are produced as byproducts of local farms such as honey, nuts, jams, jellies, pickles, etc., and baked goods, subject to passing standards of health and safety requirements of the VDH and VDACS. The food items offered must be produced, grown, gathered and processed by the Farmer/Grower/Producer or under his or her direct supervision.

One hundred percent of goods sold by Producers of Homemade Goods must be homemade or produced by the Farmer/Producer or under his or her direct supervision.

All produce or goods sold at the LCM must be of good quality, free of disease and presented in such a way that does not hide products of lesser quality, such as layering of best quality produce on top of

lower quality produce.

Knowledge of and compliance with all VDH and VDACS regulations is the responsibility of the Vendor. The LCM must be given a copy of each current inspection report from the VHD and the VDACS that shows a passing grade by each vendor to which the VDH and VDACS rules apply. A current copy must be posted at the LCM Vendor space, as required, for each item brought to LCM for sale. See General Policies for information on how to get a copy of these regulations from the VHD and the VDACS.

All scales for weighing items sold at the LCM must display a valid and current certification sticker signed by an Inspector from the Virginia Dept. of Weights and Measures

Vendors are encouraged to sign their produce and items with the price of the goods. i.e. cost per pound, cost per item

Only farm produce or products being sold at the LCM that are grown and/or produced within the borders of the Commonwealth of Virginia, and certified by the VDACS may be marked as “Virginia Grown”. Additionally farm produce or products being sold at the LCM that are grown and/or produced with a 75-mile radius may be marked as “Locally Grown”.

One hundred percent of produce sold by Farmer/Grower/Producers must be “Locally Grown ” or “Virginia Grown” by the seller or marked otherwise as allowed under “Re-Sell Vendors”. A *re-seller is defined as one whose principal operation consists of buying produce and/or goods from others and reselling it for profit (retail operation).* Re-sellers who sell farm produce or farm products at the LCM that have been brought in from other states or from wholesalers that do not meet the requirements of “Locally Grown” or “Virginia Grown”, must clearly mark their items as “Re-sell Produce” and may not use “Locally Grown” or “Virginia Grown” or homegrown labels. “Re-sell Produce” preprinted signs will be made available to Vendors by the LCM Manager.

Vendors who do not grow the produce being sold, but are re-selling “Locally Grown” or “Virginia Grown” farm produce or farm products at the LCM must label their products as such, giving information on the source of the product. For example, John Smith, an approved LCM vendor is selling strawberries from Johnson’s Strawberry Farms, Amelia, VA.” A “Locally Grown” sign must be clearly visible on or near the strawberries being sold, that states “Strawberries were grown by Johnson’s Strawberry Farms, Amelia, VA.”

Pre-printed “Locally Grown” and “Virginia Grown” signs will be made available by the LCM Manager to Vendors who meet the requirements stated above. The LCM Manager reserves the right to verify by a farm visit that the information being posted by a Vendor is correct.

LCM Staff provides each farmer daily with colored paper signs on which prices and information is

displayed.

COLOR DEFINITIONS –

Green: *Local Producer Products –
Spray, Light Spray, or No Spray*

Pink/Magenta: *Resale Products – Virginia Grown*

Blue: *Resale Products – USA Grown*



Lynchburg Community Market is open to creating re-usable laminated signage for any farmer upon request. Laminated signs will not only reduce waste, but save time on daily vendor set-up. Any farmer using laminated signs will be responsible for maintaining and keeping their signs. Farmers with laminated signs will still need to request paper signage when offering products that deviate from their standard product.

When requesting laminated signs, please provide in writing the product name, price point, whether it is a producer product (Spray, Light Spray, No Spray) or resale, and where it has been grown. Please refer to the Re-Usable Farmer Sign Request sheet and allow 1-2 Weeks for signage to be created.

GREEN MARKET WEDNESDAY - Green Market Wednesday Policies and Guidelines have been established as a response to a community cry for locally sourced products balanced with a duty to provide appropriate variety of nutritional items to an underserved community. Green Market Wednesdays are a heavily producer-based market with a mission of providing fresh, healthy food options mid-week in an area of the community that is considered a “Food Desert.”

Season Restrictions:

September through May – Producer HEAVY Market supplemented with Re-Sale Products, preferably from Virginia. Resale Farmers should be mindful to not duplicate products that are already provided by Producer Farmers. Products should be clearly marked with proper price signage in coordinating colors provided by the Lynchburg Community Market. Producers will be responsible for displaying signage that alerts patrons to their locally-grown commitment. Such signage will be made available by the Lynchburg Community Market.

June through August – Producer ONLY Market. Products should be clearly marked with proper price signage in BRIGHT GREEN as provided by the Lynchburg Community Market. Producers will be responsible for displaying signage that alerts patrons to their locally-grown commitment. Such signage will be made available by the Lynchburg Community Market.

Lynchburg Community Market will also have available a Producer Pledge that alerts patrons to a farmer's locally-grown commitment. As previously stated, it is the responsibility of each Producer to communicate this message to their patrons and they are welcome to do so through signage that they personally provide.

Section B. ARTISAN VENDORS

At the LCM, Artisan Vendors may sell only handcrafted decorative and/or functional items that demonstrate quality of craftsmanship and are approved through the evaluation process.

Items must be homemade, made by the Artisan Vendor or under the direct supervision of him or her. No commercial items may be sold by a Artisan Vendor except as allowed in Permanent Shops. Reselling of any craft or commercial items is prohibited in stalls.

To be considered as a Artisan Vendor at the LCM, Vendors must produce articles that follow the following guidelines:

- The shaping and forming of the article from a variety of materials, its finishing and decoration are accomplished by hand-labor and manually controlled methods are used that permit the maker to control and transform the construction, shape, design and finishing of each major part of an individual product.
- The article is the original idea of a craftsperson or a skillful rendering of a traditional or classic design.
- Each item is hand-crafted by the craftsperson.
- The item displays craftsmanship, not just handiness.
- Ready-made parts or materials are used only if they are subordinate to the total design and craftsmanship of the article.

Products not considered crafts include:

- Mass produced or manufactured goods
- Second-hand goods
- Embellished items (e.g. decorated mass produced items)

The evaluation process for Artisans is as follows:

- At the time of application the applicant must submit to the LCM Manager and the LCM Gallery Committee a sampling or photograph(s) of the items that will be sold at the Market.
- The LCM Gallery Committee will review all applications and certify the Artisan to sell at the

LCM.

- The LCM Gallery Committee may elect to interview the Artisan as part of the evaluation process.
- Certification of a craft does not guarantee an immediate space for selling, but will expedite the renting of a space as it becomes available.
- The LCM Gallery Committee will make decisions on certifications of craft item(s) at least once a month.
- Decisions of the LCM Gallery Committee are final.

Artisan Vendors may use commercial items to enhance the product, but seventy-five percent (75%) of the selling cost of any item must be a result of handcrafting. For example, a photographer or artist may sell the frame that surrounds the photo or artwork that he/she created and is selling, but they may not sell commercially made frames as stock items. As a second example, a vendor may not sell “gift baskets” made from both commercially produced baskets and commercially produced gift items.

There will be no “grandfathering” of previous tenants and their existing stock. All merchandise must comply with the guidelines as stated in this policy.

Section C. MINI-RESTAURANTS

All Mini-Restaurant Proprietors must be in possession of valid (passing) inspection reports from the VDH and the VDACS for all prepared food items in order to sell at the LCM. Vendors are required to post this valid inspection report at their mini-restaurant in an easily seen location and to submit a copy of their current passing inspection reports to the LCM Manager.

It is the responsibility of Mini-Restaurant Proprietors to determine and file proper tax documents and payment on time.

All Mini-Restaurant Proprietors must provide current and accurate menus to the LCM Manager.

All Vendors interested in leasing a Mini-Restaurant must follow the application process outlined in “Application, Lease Agreements and Space Assignments”.

Section D. PERMANENT SHOPS

A select number of retail shops will be allowed within the LCM, if space is available and the proposed shop supports the overall mission of the Market. Priorities of permanent retail shops at the LCM will be:

- 1) Small grocery or convenience store
- 2) Fresh meat shop
- 3) Bakery shop
- 4) Specialty coffee shop

- 5) Produce vendor
- 6) Virginia-produced or themed products
- 7) Other food items such as home-made candies
- 8) Craft items

Produce Re-Sell Vendors may apply to lease a Permanent Shop space. Permanent Shop Vendors selling produce must adhere to the policies that govern signage and labeling of “Locally Grown”, “Virginia Grown” and “Resell produce”.

Other types of Permanent Space Vendors may be considered as tenants within the stated guidelines and policies.

All Vendors interested in leasing a Permanent Shop must follow the application process outlined in “Application, Lease Agreements and Space Assignments”.

CITY OF LYNCHBURG PARKING MANAGEMENT POLICIES

The Parking Management Department manages and operates off-street parking facilities, issues permits, provides the public with parking information, and works closely with the Parking Authority. The Parking Ambassadors enforce the parking policy and ordinance within the central business district of Lynchburg.

The City operates several public parking facilities in the Central Business District. Hourly parking spaces are located in the Mid-Town Parking Deck, the Lynchburg Community Market, the Clay Street Parking Deck, Suntrust Parking Deck (Lot S) and Lot E. For quick downtown visits, there are a number of free, on-street timed zoned parking spaces available as well, with the exception of the Paid Parking Pilot Program on the 1200 Block of Main Street. Central business district residents and commuters (business owners & employees) may purchase parking permits, subject to lot/deck availability.

Find out more information on the Parking Management Department by:

Visiting <http://www.lynchburgva.gov/parking-management>

Calling (434) 455-4045

Emailing: parking.authority@lynchburgva.gov

LOT POLICIES

The Lynchburg Community Market Lot is managed with the primary goal of having as much

accessibility for customers as possible. Please keep in mind that as a retail establishment, customer satisfaction should be of utmost importance. The following Codes & Policies have been implemented by the Parking Management Department with that in mind.

There is a clearly posted weight limit of 3 tons for trucks parking in the LCM Plaza. This weight limit must be adhered to at all times. Violators may be restricted from further use of the LCM Plaza.

PAID PARKING BY THE HOUR

In May 2016, the LCM Lot was brought into the fold with other off-street City of Lynchburg Parking Lots through the implementation of hourly paid parking. People parking in the LCM Lot should expect to use the Pay-by-Plate system which means they will be required to enter their license plate number at any of the four pay stations upon arrival.

For short visits, patrons can take advantage of 30 minutes of COMPLIMENTARY parking per day. For longer visits, the pay rate is \$1 per hour (up to the first 3 hours) and increases to \$2 per hour after the first three hours. For example, an individual parking ALL DAY (7 AM – 5 PM) should expect to pay \$3 (first three hours) + \$14 (hours four through ten) to total \$17 for the day. Parking for individuals with valid State handicapped credentials will remain free in any parking spot for as long as needed.

These parking rates will be enforced by Parking Ambassadors Monday – Saturday from 7 AM to 5 PM with the exception of Wednesday & Saturday Vendor Parking as explained below. Alternative options to paid hourly parking would be to purchase a parking permit for an alternate lot (considered a business expense) or to locate free on-street parking for 2 hours anywhere Downtown with the exception of the 1200 Block of Main Street

*TIP: When in doubt, read the signs. Parking Ambassadors will be managing the lot based on the posted signage.

WEDNESDAY & SATURDAY VENDOR PARKING

Parking Management does allow for free Vendor Parking on Wednesdays & Saturdays for specified businesses as dictated below to allow for a vibrant Market atmosphere and experience.

Farm Spaces – Farm Spaces are defined as a parking space in direct relation to an assigned Farm Stall in the Market Plaza as well as the first two West bay door parking spaces (nearest to the LCM Plaza). The only vendors who should be utilizing these spaces on Wednesdays & Saturdays should be the farmers directly associated with that space. Due to limited availability and the creation of “flex spaces” such as non-permanent tables near the fountain/entrance, we do ask that businesses utilizing these spaces on Wednesdays & Saturdays limit themselves to ONE VEHICLE per BUSINESS, regardless of the amount of stalls being filled.

Bay Spaces – Bay Spaces are defined as a parking space directly outside of each bay door (except for the first two West bay door parking spaces which are considered Farm Spaces). The only vendors who should be utilizing these spaces on Wednesdays & Saturdays should be the businesses directly associated with the interior bay door booth.

Because all of these spaces are available for public use on all other days, LCM Staff will be responsible for reserving these spaces by placing a cone at the end of each one. When arriving at the Market, vendors should move the cone off to the side before pulling into their designated space (as applies to Farm & Bay Spaces). There is no need to make any further adjustments to the cone after parking. LCM Staff will collect and move the cones back to storage once all vendors have arrived.

FOOD TRUCK PARKING

Parking Management has approved ONE parking spot in Lot H (Permit Parking) to be used for Food Truck Vendors Tuesday – Saturday. Food Trucks will need to be approved in advance with the Lynchburg Community Market before being allowed to utilize the parking space.

LOADING ZONES

Parking Management has established TWO 15 Minute Loading Zones, located at each entrance, to be used by vendors any day of the week. Vehicles left in these zones in excess of 15 minutes will be subject to ticketing by a Parking Ambassador. Precautions will be made to ensure that neither of these zones is ever blocked.

*TIP: Don't forget that even if you are unable to access one of the TWO Minute Loading Zones, all spots in the LCM Lot are available for 30 minutes of COMPLIMENTARY PARKING per day. Therefore, vendors do have the option to enter their plate number at the Pay Station to load or unload their vehicle before finding an alternative parking location (or submitting payment).

ENFORCEMENT

Parking Ambassadors will be managing the LCM Lot and issuing tickets to unpaid parking and other infractions. Expired meter infractions are a \$20 ticket and more than one ticket CAN be issued in one day. If any vehicle receives three expired meter infractions, they CAN be subject to being towed.

Find out more information on the Parking Management Department by:

Visiting <http://www.lynchburgva.gov/parking-management>

Calling (434) 455-4045

Emailing: parking.authority@lynchburgva.gov

VENDOR VIOLATIONS

The Lynchburg Community Market (LCM) facility is owned and operated solely by the City of Lynchburg. The Director, Lynchburg Parks & Recreation Department (LPRD), City of Lynchburg, has authority on matters that apply to the day to day operation of the LCM, including violations by vendors and the dispensation of those violations.

The LCM Manager and his or her appointed representative have the responsibility to manage the LCM facility. The LCM Manager reports directly to the Director of Parks & Recreation.

The failure to maintain the required insurance coverage will be grounds for the immediate termination of a lease without the requirement of any advance notice by the City.

Violations that are brought to the attention of a Vendor by the VA Department of Health (VDH), the City of Lynchburg Fire Marshall or Building Code Inspector, or the VA Department of Agriculture and Consumer Services (VDACS) that are not corrected in a timely manner by the vendor as defined above will be considered cause for immediate termination of lease and eviction from the LCM by the LCM Manager, whether or not the applicable State agency shuts down the business.

VIOLATION PROCESS

1. If the LCM Manager finds that a vendor or lessee is in violation of a LCM policy, he or she will discuss the violation with the vendor verbally, ask for specific corrective action, and keep a written record of the verbal notice, date and details.

2. If the violation is not corrected, the vendor will be:

- Notified in writing again of the violation
- A copy will be put on file in the LCM office
- A copy will be sent to the Director of Parks & Recreation
- Another meeting will be held by the LCM Manager with the vendor to discuss the problem.

Within this written notice of violation, the vendor will be told:

- What is to be done to correct the violation;
- The expected date by which action must be taken;
- The resulting action that will be taken by the LCM Manager if the corrective action is not done by the expected date.

3. A serious violation of LCM policies by a Vendor may be cause for immediate termination of a lease agreement.

4. If the LCM Manager finds numerous violations by the same vendor, even if temporary corrective action is taken each time, the LCM Manager has the authority and may cancel the offending vendor's lease and future LCM privileges.

PROCESS FOR COMPLAINTS

Any complaints concerning the LCM and/or conflict with or allegation of violations of LCM Policies must be brought in writing to the LCM Manager.

In order for a complaint, notice of conflict or alleged violation to be considered, it must be written in a business-like manner and must include:

- Full name, address, telephone number of complainant and relationship to the LCM (Vendor, customer, former vendor, etc.)
- Naming of the vendor about which the complaint is being lodged, if applicable
- Naming of the appropriate LCM policy by page and section that apply.
- Written complaints, unless of a criminal nature, may be disclosed under the Freedom of Information Act.

The LCM Manager shall investigate and discuss the written complaint, notice of conflict or alleged violation with complainants and/or applicable vendors within ten working days of receipt of the complaint by the LCM Manager.

A written response, with appropriate copies to the Director or Parks & Recreation, shall be made to the complainants by the LCM Manager within ten additional working days of discussion with the complainant.

If the LCM Manager has agreed that a complaint about a vendor is valid and a violation has occurred, the violation shall be treated in the same manner as described above in “VENDOR VIOLATIONS”.