

Durango Farmers Market
PO Box 3761
Durango, CO 81302
By-Laws
Revised January 2010

Article 1 – Name and Officers

Section 1 – Name

The name of the organization shall be Durango Farmers Market.

Section 2 – Officers

The Board of Directors of Durango Farmers Market shall be comprised of five agricultural members and will select amongst themselves a President, Secretary, and Treasurer. The Board shall have the option to appoint a non-agricultural member as a non-voting member as a non-voting advisor to the Board.

Article 2 – Membership

Section 1 – Membership

Membership shall be open to any agricultural producer who applies at least five business days prior to the market for said membership in this organization and shall become a member upon acceptance of the producer's application by the Board of Directors. Non-agricultural vendors may become Associate Members if the Board accepts their application.

Section 2 – Categories of Membership

There shall be two categories of members of this organization.

Voting Members – full voting membership as an agricultural producer.

Associate Members –members who are not agricultural producers and have representative voting rights. There shall be one representative from each of the four categories of associate members. This representative will be elected from each category by said category. That representative will be responsible for attending meetings and voting for their group.

Section 3 – Suspension of Membership

Members must abide by these By-Laws, policies, Rules and Regulations, and procedures established by the Board, and by all applicable city, county, state, and federal laws, or lose their membership. As a condition of membership and of the right to sell at the Market, it is understood that the Board approved representative(s) of the Farmers Market, consistent with policies established by the Board, shall have the right to inspect the vendor's farm and /or site of production for the sole purpose of confirming conformance with the Farmers Market By-Laws and policies. Failure to submit to such an

inspection can result in suspension of membership. Application for re-establishment of membership as result of this section shall be on the basis of a new membership.

Section 4 – Due Process

The Board of Directors shall establish a policy providing the right to due process for any suspension or discipline of a member.

Section 5 – Geographical Limits

All agricultural products must be grown within the five county area, which includes the following counties: La Plata, Montezuma, Archuleta, San Juan, NM and San Juan, CO. All non-agricultural products must be produced by businesses that are located in this same five county area.

Section 6 – Agricultural vendors

Attendants at the booth must be the farmer or their on-farm assistants.

Section 7 – Merchandise

Only agricultural/horticultural products grown within the five county area are allowed. All agricultural products must be grown or wild-gathered by the farmer/vendor and or their assistants. There will be no reselling of produce or any agricultural products.

Only non-agricultural products produced by businesses that are located within the five county area are allowed.

Section 8 – Inspection of Vendors

All vendors are subject to inspection by the Durango Farmers Market Board.

Article 3 – Meetings and Elections

Section 1 – Membership Voting

Voting – Voting members of this organization will be the final authority as it relates to the governance of the Farmers Market. Voting privileges shall be extended to agricultural members with a limit of one vote per agricultural vendor unit and one vote per Non-agricultural producer category. There are four categories (Arts & Crafts, Food, Herbalists, and Other) allowing for four votes.

Voting Eligibility – Any agricultural member in good standing as of the last market day of the most recent summer market season is eligible to vote at said meeting.

Attendance – Members must be present to cast their votes.

Section 2 – Election of the Board of Directors

Board of Directors - The Board of Directors shall be comprised of 5 agricultural members. No more than one representative from each vendor business may sit on the Board at one time.

Board of Directors Eligibility – Any agricultural members in good standing as of the last market day of the most recent summer market

season and who has been a member in good standing for at least two successive seasons including the current one, shall be eligible for nomination and election to the Board of Directors.

Nominations – Voting members of this organization shall nominate candidates for expiring board terms. Nominations will take place at the annual spring membership meeting prior to elections.

Elections - The election of the Board of Directors shall be held at the annual spring membership meeting.

Voting – Voting shall be by paper ballot. Only voting members of the organization may vote. Those voting may indicate, on their ballot, the persons they wish to vote for. Those voting may not vote for one person more than once. Such votes will be counted as but one (1) vote for that person. Those voting may not indicate votes for more persons than the number of seats up for election; doing so will void that voter's ballot. The paper votes shall be counted by the Board secretary, and then verified by the Board treasurer. Ties shall be decided by all those who voted on the first ballot. Voting results will be determined by simple majority of the voting members present at the time the vote is taken.

Vacancies - Vacancies occurring on the Board will be filled for the period remaining until the next election, by a majority vote of a quorum of the Board.

Section 3 – Annual Meetings. Two general membership meetings shall be held annually. The dates and times shall be determined by the Board. Notice of dates and times will be made at least two weeks prior to the meetings. One meeting shall be held in the spring prior to the opening of the summer market season. One shall be held in the fall. Other membership meetings may be called at the Board's discretion.

Article 4 – Board of Directors

Section 1 – Board of Directors

The normal terms of the office will be for two years. The terms shall be staggered so that the terms of no more than three Board Members will expire in any one-year.

Section 2 – Authority of the Board of Directors

All authority of the organization shall be exercised by or under the authority of, and the business and affairs of the organization shall be controlled by, the Board of Directors, subject to limitations of other sections of the By-Laws.

Section 3 – Selection and Removal

The Board reserves the right to select and remove all the other officers and agents of the organization.

Section 4 – Enforcement

The Board will conduct, manage and control the affairs and business

of the organization and make and enforce rules and regulations not inconsistent with any law or these By-Laws. The authority under this section may be exercised by the Board directly or by the managing directors as a majority of the Board of Directors shall designate.

Section 5 – Policies

The Board of Directors shall establish and keep current a book of Rules and Regulations. The Rules and Regulations Book shall be consistent with these By-Laws and will be the final authority for the operation of the Farmers Market. It shall continue in force until amended by the Board of Directors.

Section 6 – Grievances

The Board shall be responsible for establishing a grievance procedure and shall be the final authority in resolving grievances.

Article 5- Condition of Membership

As a condition of membership, the member agrees to release and hold the Durango Farmers Market, its directors, officers, agents and employees harmless from all claims related to or arising from such membership.

Article 6 – Amendments

Suggestions of changes to the By-Laws must take place in writing and be presented to the Board at least 30 days prior to the annual meeting. The Board shall consider such proposals and may recommend adoption, modification, or rejection by the membership. A majority vote of the members voting and present at the meeting shall be sufficient for adoption. Notice of the proposed changes together with any recommendations of the Board shall be mailed to voting members at least 15 days prior to the next Membership meeting.