



CITY OF BLOOMINGTON  
Parks and Recreation

## STAFF REPORT

Agenda Item: C-16  
Date: 2/19/2020

Administrator  
Review\Approval  
PM

**TO:** Board of Park Commissioners  
**FROM:** Marcia Veldman- Market Coordinator  
**DATE:** February 25, 2020  
**SUBJECT:** RULES OF BEHAVIOR FOR THE BLOOMINGTON COMMUNITY FARMERS' MARKET

### Recommendation

Staff recommends approval of the Rules of Behavior as outlined in the January 9, 2020 meeting of the Board of Park Commissioners.

### Background

The mission of the Bloomington Community Farmers' Market is to strengthen our local agriculture and food community by serving as a venue to nurture the direct, positive relationships between farmers, food and beverage artisans and customers; to promote a safe and welcoming environment for all while enhancing and reflecting the City of Bloomington's diversity and encouraging multicultural awareness; to promote and improve food justice by implementing programs to increase access to Market product by low income populations; and to improve local food security and community sustainability by fostering a resilient food supply.

As the mission statement indicates, the Market operates on a variety of levels. It is primarily a market, a place where local growers, farmers, food artisans and artists can connect with customers and sell their goods, This simple, yet profound activity, improves local food security, strengthens the local economy, and enhances community sustainability, which is critical as we face a changing environment.

Another fundamental level at which the Market operates is as a community gathering place. For decades people have come together on Saturday mornings to meet friends and neighbors, listen to music, participate in events celebrating food, culture and community. With a focus on "enhancing and reflecting the City of Bloomington's diversity and improving multicultural awareness", the FMAC has established the Broadening Inclusion subcommittee with a goal of evaluating existing Market practices and programs and taking a forward looking approach by providing suggestions to make the Market even more inclusive.

The Market is also a place where people come to engage with issues, politics and movements. As is stated in the Market Informational Table Policy “The City of Bloomington Parks and Recreation Department is committed to providing an environment where issues can be openly discussed and explored.” To that end there are two designated free speech areas within the Market boundaries, Info Alley and Plaza oneA, as well as public areas beyond the Market boundaries.

The Rules of Behavior are designed to allow the Market to fulfill its primary purpose of being a place where farmers, artisans and customers can come together, while also creating a vibrant community space and allowing for robust community engagement, not just because it’s protected by the Constitution, but because it is a strong civic value.

The Rules of Behavior for the 2020 Market season have been reviewed and approved by the Legal Department and Parks and Recreation staff, including review by the Farmers’ Market Advisory Council. There were several changes made to them relative to the ones in place last year, including refining the boundaries of the Market to reflect the functional boundaries of the Market, and further defining types of activities in the Market and where they may take place. Some existing rules that were regularly enforced but not included previously on the written document were added, including information on pets and smoking in the Market.

One update made to the Rules of Behavior since those that were included in the January 9, 2020 Park Board Packet is the addition of a reference to the applicability of Department Administration Policy 2050 regarding “Removal and suspension from property owned, managed or operated by the City of Bloomington Parks and Recreation Department.”

**RESPECTFULLY SUBMITTED,**

A handwritten signature in black ink, reading "Marcia Veldman". The signature is written in a cursive style with a long, sweeping horizontal line extending to the right.

---

Marcia Veldman, Market Coordinator

# DRAFT



## Rules of Behavior for the Bloomington Community Farmers' Market

- Signs and distribution of literature at Market by the public are permitted in the following free speech areas:
  - Areas beyond the Market boundaries
    - Path North of 8<sup>th</sup> Street on the B-Line Trail (beyond the picnic tables)
    - South of 7<sup>th</sup> Street on the B-Line Trail
    - The sidewalks on 7<sup>th</sup> St.
    - The sidewalks on Morton St.
    - North of the Market on the small brick plaza near the north entrance to City Hall
  - Areas within the Market
    - On Plaza oneA (defined by the arc of light colored pavers) on the B-Line Trail, unless previously reserved
    - On Info Alley, along 8<sup>th</sup> St. on the west side of the Market
- Signs and distribution of literature at Market by the public are not permitted in the following “Market activity areas,” which are limited to Market activities:
  - The blacktop area of Showers Common (where farm vendors are set up)
  - The B-Line Trail within the boundaries of the Market (other than Plaza oneA)
  - The brick plaza and grass terrace in front of City Hall
- Signs and distribution of literature at Market by vendors are:
  - Permitted consistent with the Vendor Contract
- Customer and Vendor Interactions:
  - Interruption of commerce is not permitted
  - The following conduct is prohibited in the Market activity areas: picketing, demonstrating, yelling, excessive or unreasonable noise-making, obstructing or hindering the flow of pedestrians or access to a vendor, and other conduct disrupting Market activities. Market staff will ask any persons violating these prohibitions to relocate to a free speech area. If this is not successful market staff will contact the Bloomington Police Department (BPD). BPD will reiterate the request to move, and if this is not successful, the individual may be subject to arrest.

# DRAFT

- Behavior in the market is also subject to City of Bloomington Parks and Recreation Department Administration Policy 2050, entitled “Removal and Suspension from use of property owned, managed or operated by the City of Bloomington Parks and Recreation Department.”
- Information Alley
  - Anyone wishing to utilize space in Information Alley must fill out a registration form, and if utilizing the fee area, pay the appropriate fees. There are a limited number of free Information Alley spaces.
  - Anyone asked to move to Information Alley will not be charged for that day. If the same party must again be asked to move on a subsequent market day, such party will be charged a fee.
- Video Recording/Photography/Amplification of Sound
  - Video recording/photography is permitted anywhere in the Market or the public spaces
  - Amplification of sound is not permitted except for performances/events scheduled by Market staff
- Bloomington Human Rights Commission
  - Reports of harassment should be directed to the City of Bloomington Human Rights Department
- Additional Rules
  - No selling of anything in the Market except by contract with the City
  - No distribution of items intended for human consumption, unless by special advance permission from the City
  - Pets are not permitted in Showers Common, the Market B-Line Café and the fee area of Info Alley
  - Smoking and vaping are not permitted in Showers Common, the Market B-Line Café and the fee area of Info Alley

# DRAFT



## Rules of Behavior for the Bloomington Community Farmers' Market

- Signs and distribution of literature at Market by the public are permitted in the following free speech areas:
  - ~~Is Permitted Areas~~ beyond the Market boundaries
    - Path North of 8<sup>th</sup> Street on the B-Line Trail (beyond the picnic tables)
    - South of 7<sup>th</sup> Street on the B-Line Trail
    - The sidewalks on 7<sup>th</sup> St.
    - The sidewalks on Morton St.
    - North of the Market on the small brick plaza near the north entrance to City Hall
  - ~~Is permitted Areas~~ within the Market
    - On Plaza oneA (defined by the arc of light colored pavers) on the B-Line Trail, unless previously reserved
    - On Info Alley, along 8<sup>th</sup> St. on the west side of the Market
- Signs and distribution of literature at Market by the public are not permitted in the following "Market activity areas," which are limited to Market activities:
  - ~~Is not permitted on t~~he blacktop area of Showers Common (where farm vendors are set up)
  - ~~Is not permitted on t~~he B-Line Trail within the boundaries of the Market (other than Plaza oneA)
  - ~~Is not permitted on t~~he brick plaza and grass terrace in front of City Hall

~~These areas are considered free speech areas.~~

- Signs and distribution of literature at Market by vendors are:
  - ~~Is p~~ermitted consistent with the Vendor Contract
- Customer and Vendor Interactions:
  - Interruption of commerce is not permitted
  - The following conduct is prohibited in the Market activity areas: picketing, demonstrating, yelling, excessive or unreasonable noise-making, obstructing or hindering the flow of pedestrians or access to a vendor, and other conduct disrupting Market activities. Individuals interrupting the Market by yelling or causing a scene is not permitted. Market staff will ask any persons causing disruption violating these prohibitions to relocate to a free speech area. If this is

# DRAFT

not successful market staff or vendor will contact the Bloomington Police Department (BPD). BPD will reiterate the request to move, and if this is not compliant this successful, will lead to arrest the individual may be subject to arrest.

- Behavior in the market is also subject to City of Bloomington Parks and Recreation Department Administration Policy 2050, entitled "Removal and Suspension from use of property owned, managed or operated by the City of Bloomington Parks and Recreation Department."
- Information Alley
  - Anyone wishing to utilize space in Information Alley must fill out a registration form, and if utilizing the fee area, pay the appropriate fees. There are a limited number of free Information Alley spaces has a \$10 one-time registration fee as well as a weekly \$10 fee.
  - Anyone if asked to move to Information Alley will not be charged for that day will be free of charge. If the same party must again be asked to move on a subsequent market day, such party will be charged a fee.
- Video Recording/Photography/Amplification of Sound
  - Video recording/photography is permitted anywhere in the Market or the public spaces
  - Amplification of sound is not permitted except for performances/events scheduled by Market staff
- Bloomington Human Rights DivisionCommission
  - Reports of harassment should be directed to the City of Bloomington Human Rights AttorneyDepartment
- Additional Rules
  - No selling of anything in the Market except by contract with the City
  - No distribution of items intended for human consumption, unless by special advance permission from the City
  - Pets are not permitted in Showers Common, the Market B-Line Café and the fee area of Info Alley
  - Smoking and vaping are not permitted in Showers Common, the Market B-Line Café and the fee area of Info Alley