



# By-laws

## 1) Courthouse Market Trading Hours

- a) Trading hours at the Courthouse Market are from **8am – 1pm on Saturday and Sunday in the Dry season** and from **8am – 12noon on Saturday in the Wet season**.
- b) All vehicles must be out of the Market area **by 7.30am**.
- c) **No vehicles permitted back into the market site prior to 1.00pm on Saturday and Sunday during the Dry season. During the Wet season no vehicles are permitted back into the market site prior to 12noon.** If you intend to leave prior to these times the coordinator must first be informed, and the coordinator must supervise your safe departure from the Market site.

## 2) Safety in Extreme Weather Conditions

- a) If the ambient temperature on market days exceeds 40 degrees Celsius any trader may cease trade and depart the market site with the assistance of the market coordinator to supervise a safe departure from the market site.
- b) If the Broome weather forecast is predicted by the Australian Government Weather of Meteorology to be 45 degrees Celsius on the intended day of trade, then the market will be cancelled on that day, and no market event shall occur.
- c) When a cyclone is forecast and the Department of Fire & Emergency Services (DFES) issue a Blue Alert all market events shall be cancelled. No market event will occur until an All Clear is issued by DFES and the market site is deemed safe to re-enter.

## 3) Courthouse Market Day Operations

- a) Vehicles must be unloaded quickly to allow other stallholders to access their site and to limit blockages on the roadway.
- b) No stalls, vehicles or trailers are allowed on grassed areas at any time.
- c) No stallholder is permitted to have dogs at the markets.
- d) Bikes and scooters are not permitted to be ridden within the Market site and must be pushed by hand.
- e) Children of stallholders must always be supervised and are prohibited from playing in and around the Courthouse buildings and toilet area.
- f) All stallholders are to ensure that all rubbish is removed from their site after packing up.

## 4) Addition of New Products to Stall

- a) Stallholders wishing to change an existing product or service and/or add a new product or service to their market stall, shall first submit their request in writing to the Management Committee. No new product is to be sold until approval is given by the Management Committee. Requests from members for the addition and/or change of good and services will be prioritised.



## 5) Legislative Requirements and Insurance

- a) All stallholders must have their own public liability and provide a copy to BCSA prior to trading at the Broome Markets.
- b) All food vendors must have their own public liability, product liability and Shire of Broome Health Certificate and provide a copy of all documentation to BCSA prior to trading.
- c) All massage therapists are required to have and display public liability and qualification.
- d) All products must comply with fair-trading and Australian standards and copy right laws.
- e) All health and medical products must have appropriate documentation for viewing and adequate public liability insurance.

## 6) Payment of Stallholder Registration Fees

- a) All stallholder fees must be paid on the day of trading directly to the Market Coordinator. If they are not paid, they will not be allowed to trade in subsequent weeks. In the absence of the Market Coordinator not attending the stall for payment on any particular trading day, the trader must contact the Market Manager to have the fees deposited directly in the account of the BCSA prior to the next trading day if the trader wishes to continue trading at the Courthouse/ Night/Staircase Markets.

## 7) Casual Trading

- a) Casual trader registration at the Courthouse Markets is from 6am at the Broome Markets marquee situation in the food court. Member stallholder have up until 7:00am to take up their permeant position and the Market Coordinator will allocate casual stallholder sites from 7:00am onwards.
- b) Casual trader registration at the Night Markets is from 3:30pm at the Broome Markets marquee.
- c) All casual trading is subject to stall availability. Site allocation will be carried out by the Market Coordinator with priority given to Broome locals. Non-resident casual stallholder will be considered based on the following criteria:
  - i) Broome Handmade - create their own goods and services from Australian or Imported product;
  - ii) Broome Australian Made - have their goods made by others within Australia;
  - iii) Broome Imported - Import goods from overseas that have a benefit to the diversity of the markets;
  - iv) Non-Broome Handmade – create their own goods and services from Australian or Imported product
  - v) Non-Broome Australian Made - have their goods made by other in Australia
  - vi) Non-Broome Imported - Import goods from overseas that have a benefit to the



diversity of the markets

d) Long Term Casual Stallholders

i) Long term casual stallholders have priority over new casual stallholders under bylaw (6)(a)(i), (6)(a)(ii) and (6)(a)(iii).

e) As a casual trader there is no guarantee of the same site each trading day.

f) Casual stallholders are required to enter their name and description of goods and services in the registration book at the Broome Markets marquee in the food court. Additional goods and services for sale must first be approved by the Markets Coordinator who has the right to refuse their sale at the Broome Markets based on the following criteria:

i) The good or service already being available for sale in the market; and

ii) The good or service being a direct duplicate of an existing product in the market.

g) Commercial enterprises such as restaurants and retail stores with a shop front are not permitted to trade at the Courthouse Markets. Commercial enterprises may trade at the Town Beach Night Market.

## 8) Trading Categories

a) All applications to trade at the Broome Markets will be reviewed by the Management Committee prior to trading. The Management Committee are particularly interested in seeing products that are not well represented in the markets and for stallholders that can provide something different. The following products are currently well represented in the markets:

- imported fresh-water pearl jewelry
- off-the-rack imported clothing and
- South-East Asian cuisine

## 9) Stallholder Registration Fees

Site costs will be determined annually by the management committee and notified on the website.

a) **Non-Members Dry Season: May – October**

i) **Saturday**

- |   |      |
|---|------|
| 1. General stall, up to 3x3 meters        | \$70 |
| 2. Food Van or up to 3x3 meter food stall | \$80 |
| 3. Business Promotion, up to 3x3m         | \$60 |
| 4. Mini stall (1.2 x 1 meter)             | \$20 |

### INSURANCE EXTRA

ii) **Sunday**

- |                                    |      |
|------------------------------------|------|
| 1. General stall, up to 3x3 meters | \$50 |
|------------------------------------|------|



- 2. Food Van or up to 3x3 meter food stall \$70
- 3. Business Promotion, up to 3x3m \$50
- 4. Mini stall (1.2 x 1 meter) \$20

**INSURANCE EXTRA**

**b) Non-Members Wet Season: November - April**

**i) Saturday**

- 1. General stall, up to 3x3 meter stall \$45
- 2. Food Van or up to 3x3 meter food stall \$50
- 3. Business Promotion, up to 3x3m \$50
- 4. Mini stall (1.2 x 1 meter) \$20

**INSURANCE EXTRA**

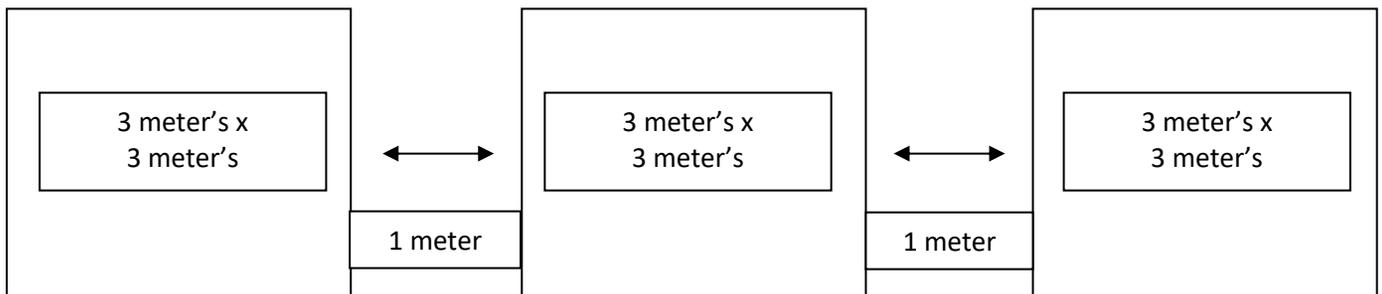
<b>c) Night Markets</b>	<b>2 Nights</b>	<b>1 Night</b>
1. General stall, up to 3x3 meters	\$100	\$60
2. Food Van or up to 3x3 meter food stall	\$220	\$120
3. Business Promotion, up to 3x3m	\$180	\$100
4. Mini stall (1.2 x 1 meter)	\$20	\$20

**INSURANCE EXTRA**

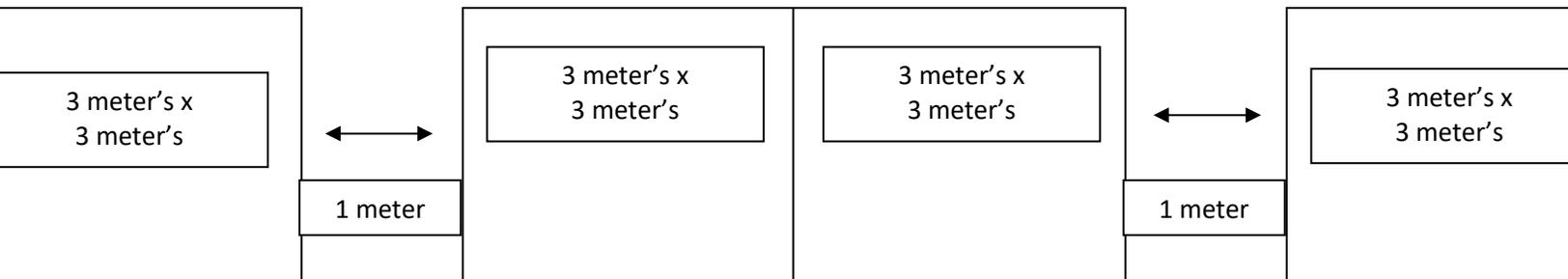
**10) Site Set-up**

- a) All stallholders are permitted to have either a 3x3 meter single stall or a 3x6 meter.
- b) Stallholders with a double stall will be charged for two single stalls.
- c) Each stall site has an additional 1 meter on either side of stall. This space functions as a walk way and is not for stall holders to extend their goods out into.

Example of a single stall set up:



Example of a double stall set up:





### Food Vendors

- d) Are to comply with Health Regulations of the Health Department, if this is not adhered to your license and your entitlement to continue operations at the Markets may be revoked.
- e) Are to provide a large rubbish bin with bin liner at their stall site and to remove full bags and place in the Skip Bin provided in the front car park.
- f) All food stalls to submit menu to Committee. No direct duplication of food product on a Saturday or Sunday.
- g) Any change of menu must be submitted in writing to committee for approval prior to sale.
- h) All license must be displayed at your site in view of the public.
- i) Food vendors are not permitted to use a generator in the Courthouse grounds save and except for vendors who have been allocated one of the four generator sites available. All four generator sites at the Courthouse Market are currently full.
- j) Food vendors at the Night Markets at the Town Beach Reserve are allocated a maximum of 1 x 15amp of power to plug into. No additional power will be allocated to a vendor and generators are not permitted. Power use is currently at capacity at the Town Beach Night Markets. Currently we cannot accommodate any more food vendors at the Town Beach Night Market.

### 11) Membership and Permanent Site Allocation

- a) Any person who supports the objects of the BCSA, who is a Broome resident and who has traded at the Saturday or Sunday Courthouse Markets for a period of nine (9) months per year is eligible to apply to become a member.
  - (i) The annual membership fee shall be set at \$100.
- b) Any person who supports the objects of the BCSA, who has traded as a casual stallholder at the Saturday or Sunday Courthouse Markets for 10 years, and who has traded for a period of 20 weeks in the 12 month period directly prior to membership application may apply to become an associate member.
  - (i) The annual associate membership fee shall be set at \$100.
  - (ii) An associate member will have the benefit of a reduced market site registration fee which will be set at \$10 above the fee of a full member.
- c) Upon conclusion of three (3) years trade as a permanent member a stallholder can apply under special circumstances for a period of up to one (1) year leave from the Market without the loss of membership or their trading site. Approval of one (1) year leave is at the discretion of the Management Committee. If the permanent member wishes for his/her site to continue trading then in their application for leave, they must nominate the person who will operate their business in their absence. The persons and/or persons running the member's stall in their absence must first be approved by the Management Committee and abide by the bylaws. The Management Committee will have the authority to ensure the person operating the member's stall in their absence abides by the bylaws of the association.
- d) A member can nominate a third party unrelated to the member to operate that member's stall for up to three (3) months of the annual trading duration following application to and approval from the Management Committee.



- e) Members have priority of site allocation. When a permanent site becomes available all members can apply and allocation will be determined by the Management Committee based on the following criteria:
  - i) Longest membership and trading history;
  - ii) Suitability of the site; and
  - iii) Impact of stallholder's product to the flow of the market site.
- f) Priority of membership is given to:
  - i) Broome residents who create their own goods and services;
  - ii) Broome residents who design their own goods and services but have them manufactured externally to Broome; and
  - iii) Broome residents who import goods and services that benefit the diversity of the markets.

## 12) Resumption of Stall Site

- a) A member who is absent for more than two (2) consecutive Saturdays and does not provide notice to the Market Coordinator is subject to losing their permanent stall site. Notice of a known absence is required the day before. In the unfortunate event of an emergency notice must be given to the Market Coordinator prior to 7:00am on the morning of the market.
- b) A member who is absent for more than three (3) months without prior written notification to the Management Committee will be subject to losing their permanent stall site and membership.
- c) An application for leave of periods of up to three (3) months is available for download from the Broome Markets website [www.broomemarkets.com.au/forms](http://www.broomemarkets.com.au/forms). A completed copy of the application for leave must be provided by a stallholder to the Management Committee for their approval.
- d) False or misleading statements and information submitted on any application form.
- e) Hindering of other stallholders will incur immediate remedial action from the Market Coordinator and/or the Management Committee. Such actions include:
  - i) Smoke from cooking;
  - ii) Loud music;
  - iii) Intrusion of stall space;
  - iv) Plagiarism;
  - v) Vocal or physical abuse; and
  - vi) Defamatory remarks or comments regarding a stallholder's product.
- f) Any Illegal activity, including the smoking of illegal substances will not be tolerated in the market site. Stallholder will first receive a verbal warning from the Market Coordinator followed by two written warnings from the Management Committee following which the stallholder will not be permitted to trade.



### **13) Sale of Business**

- a) The seller must notify the Management Committee in writing of their intention to sell their business/market stall.
- b) The sale of a business is exclusive of the transfer of property. The aspect of the sale of business include equipment, stock, and any rights to use any names only.
- c) The buyer of the business will be considered a casual stallholder until they have traded for 9/12 months and qualify for membership. Upon the Management Committee's approval of membership, the buyer may apply for a permanent trading site.
- d) Preference will be given to a stallholder/vendor that has registered their interest with the Broome Markets and is on a waiting list over a new trader who has purchased a business.
- e) The Management Committee will consider the impact the sale of a business/stall will have on the market site as well as the impact of relocation of that business/stall.

### **14) Dispute Resolution Process**

- a) Proper Broome Market behavior is working together as a community of stallholders and representative of the Broome Community. Good behavior and good feelings create good business.
- b) Stallholders must first attempt to resolve the dispute amongst themselves failing which the Market Coordinator may assist to resolve the dispute
- c) Failing resolution, the stallholder may request in writing intervention from the Management Committee.
- d) Full details of the DRP can be found in the constitution and/or DRP flow chart.

### **15) Enquiries**

- a) The Market Manager, can be contacted via email [info@broomemarkets.com.au](mailto:info@broomemarkets.com.au) or by phone 0422 802 885.
- b) The Management Committee can be contacted by email [info@broomemarkets.com.au](mailto:info@broomemarkets.com.au)

## DISPUTE RESOLUTION PROCESS BROOME COURTHOUSE MARKETS

- If Markets members approach committee members with an issue, they can be directed to the Coordinator.
- Committee members may 'hear out' a complaint but are asked to refrain from becoming involved.
- Once a complaint gets to committee it should be discussed at first meeting after it is received. Complaints to be put on Agenda/Minutes under correspondence.
- The person appointed to investigate a complaint should not be connected to either complainant if

