

Ohio Valley Farmers' Market Operating Rules and Seller's Agreement

Definition of a Seller:

A seller is any person or organization offering for sale:

- Home-produced/homegrown articles for human consumption such as fruits, vegetables, nuts, berries, honey, cider and fruit juices, baked goods, jams and jellies, herbs, spices, meat, butter, cheese and eggs.
- Handmade articles not for human consumption such as needlework, house and bedding plants, firewood, flowers, crafts, art and photography, and other handmade items. (No used clothing permitted.)
- Sellers will be acting as independent dealers and *are responsible for all regulations pertaining to the sale of his/her product(s). The market carries general liability insurance. Additional insurance is the responsibility of each vendor.*

Dates, Hours of Operation and Selling Rules:

The market will operate in Bellaire on Saturdays and at the Ohio Valley Mall on Thursdays during the months of June through October on dates set forth by the Board of Directors. (Dates subject to change each season.)

- Hours of operation are 9:00 am to noon on Saturday and 4-7pm on Thursday (closing at 6pm starting in October.) Market opens to sellers at 7:30 am and 2:30 pm (Saturday/Thursday).
- Vendor vehicles will not be permitted to enter the market area after 8:30 am and 3:30pm (Saturday/Thursday).
- Sellers must be set up by 8:45am and 3:45pm (Saturday/Thursday).
- No selling or "putting back" before the market officially opens on Saturday. Vendors may sell to passers-by on Thursdays during set-up time.
- Sellers may take pre-orders, but these items should not be picked up by the customer until after the market opens. In the event a customer needs to pick up before the market opens, the vendor is asked to take the items to the customer outside the market area.
- Sellers must stay until closing time unless they are sold out or have a valid reason and prior approval by the manager to leave early. Persistent early departure will constitute losing vending rights.
- All products must remain on display until the market closes. Empty display containers and tables may be consolidated and removed as needed.

Rental, Membership Fees and Set-Up Provisions:

- Rental for one space will be based on the following sliding scale:
Sales of \$5 up to but not including \$100 = \$5
Sales of \$100 up to but not including \$300 = \$10
Sales of \$300 up to but not including \$500 = \$15
Sales of \$500 or more = \$20
Vendor can pay based on estimated sales each market and make adjustments the following week, if necessary. Payments based on an honor system. No proof of sales will be required.
- All returning sellers will be required to submit an application and pay a \$20 application fee. This money is in addition to weekly rental fees and will be used for promotion of the market.
- First-time sellers may rent an available space on approval of application by paying the \$20 application fee which includes the first market's rental fee up to a maximum of \$10.
- No pre-pay of vendor fees will be permitted.
- Spaces will be assigned by the manager on market day.
- Two or more sellers may occupy the same space. Each seller is required to apply and submit the \$20 application fee. The weekly vendor fee will be based on the sliding scale listed above.
- Sellers must provide their own tent and table.
- Sellers with perishable items may bring a refrigerator/freezer that must be removed each week. Electricity is available on Saturdays only. Extension cords must be provided by the seller.

Product Prices:

Prices should be clearly marked on merchandise before the opening of the market and must remain posted. Prices are set by the seller but will be monitored by the market to prevent unfair competition. Reducing prices during the market is discouraged.

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Space Assignments:

Vendors who attend the market on a regular basis may be assigned a permanent space. Spaces will not be held for sellers who are irregular in attendance. However, the manager will endeavor to keep those who sell less regularly in the same or approximately the same space. The manager will make space assignments based on a layout that is the most beneficial to all vendors and their products. To assist the manager with set-up and promotion, sellers should communicate each week if they will be in attendance. A phone call, text message or use of the vendor Facebook page is encouraged.

Labeling and production minimums: Any seller offering produce or agricultural goods not produced by the seller must identify the source of the item (other farm, auction, etc.). *Any vendor applying to sell produce must grow a minimum of 51% of the produce they bring to market.* A vendor may sell other manufacturer's products as long as they are a component of their homemade product. (For example, a baker who makes pastries containing fruit could sell fresh fruit.) All food items produced must comply with Cottage Food Production rules (or appropriate regulatory agency) and be properly labeled. Any vendor who sells produce grown only by the vendor may apply to the market for Producer Only Certification. An inspection will be completed by the manager or a member of the Board and a certificate will be issued for display at the market.

Inclement Weather:

In the event of inclement weather, the Board of Directors who are in attendance will determine whether or not the market should remain open. All vendors are asked to remain set-up until a decision is announced. Since the market operates rain or shine, vendors are encouraged to come prepared to sell in all conditions. Packing rain gear, extra clothing, side panels for the tent, clear drop cloths to cover products, clear plastic totes, etc. are suggested. Vendor commitment is important to customer loyalty and the success of the market.

Membership:

A vendor must sell **in person** at the market for a period of eight market days (either Thursdays and/or Saturdays) to be considered a member with full voting rights at the annual meeting in November. Two or more vendors sharing the same space, but operating distinct businesses, must apply as separate businesses and will hold separate memberships when they meet the attendance requirement. If the vendor does not sell in person the required eight times, they are not eligible for membership. Businesses with multiple employees are required to be represented by a single individual with a single vote.

Anchoring Tents:

ALL tents are required to be anchored. A minimum of 20 lbs per leg is required. Weights should be secured with non-elastic ropes or straps. Bungee cords may only be used as extra anchors. Vendors without anchors will be warned after the first offense and may borrow ropes or weights from the market, if available. If a second violation occurs, the vendor will not be permitted to erect their tent until proper anchors are obtained.

Restrictions and Other Requirements:

No vendor shall sell products with medicinal/nutritional purposes/properties to anyone under the age of 18. No seller shall permanently attach anything to village property. Sellers shall remove all trash from their designated space each week. Sellers with perishable products must have tent or canopy cover. All sellers are asked to help with set up and tear down of the market each week. The OVFM is not responsible for lost or stolen property.

Disclosure:

No person or organization shall be refused rental of a space based on race, religion, creed, national origin, or gender.

Agreement:

By signing and returning this form, the seller agrees to abide by all market rules. Sellers who use unethical practices, violate the purpose of the market, or sell illegal or dangerous products may be refused rental space. Occupants failing to comply therewith may be refused further rental of market facilities.

Ohio Valley Farmers' Market
Operating Rules and Seller's Agreement

Please complete and return THIS page only. Retain pages 1-2 for your records. **Your signature indicates you have read** and agree to abide by the policies set forth in the Operating Rules and Seller's Agreement of the Ohio Valley Farmers' Market. Agreements without a signature will not be accepted. Thank You!

Seller and/or Business Name: _____

Signature: _____ Today's date: _____

Please indicate planned starting date: _____

Please circle the market(s) for which you are applying:

SATURDAY

THURSDAY

Amount Enclosed: _____ (One application fee covers both markets.)

Return form and payment to:

Ohio Valley Farmers' Market

P.O. Box 606

Bellaire OH 43906

For Information Call: 740-676-8187 or email ovfarmersmarket@gmail.com